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REV.APLW.(MD)NO.11 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2026

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

REV.APLW.(MD)No.11 of 2026 IN

W.P.(MD)No.34665 of 2025

M.S.Srinivasan

... Review applicant/ Petitioner/
3rd Party

Vs.

1. S.Srinivasan

... Petitioner / 1st Respondent

2. The District Registrar,
Madurai North,
Rajakampeeram,
Madurai.

3. The Joint-I Sub Registrar,
Madurai North,
Rajakampeeram,
Madurai.

... Respondents 1&2/ Respondents 1 & 2

Prayer: Review application filed under Article 226 of the Constitution of India r/w. Section 114 and Order 47 Rule 1 & 2 CPC., to review the order dated 28.11.2025 made in W.P.(MD)No.34665 of 2025 on the file of this Court and allow the revision petition.

For Petitioner : Mr.P.Praveenkumar

For Respondents : Mr.C.Jeyaprakash for R-1.
Mr.V.Om.Prakash,
Government Advocate for R-2&R-3.

* * *

**JUDGMENT**

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One S.Srinivasan filed W.P.(MD)No.34665 of 2025 for directing the jurisdictional Sub Registrar to receive the general power of attorney dated 24.11.2025 executed by him in respect of the petition-mentioned property. The writ petition was disposed of by me vide order dated 28.11.2025 in the following terms:-

“Heard both sides.

2.The petitioner states that he will appear before the second respondent and present the power of attorney deed dated 24.11.2025 for registration. The second respondent shall either register the document or issue refusal check slip setting out the reasons for refusal of registration. The second respondent shall not deal with the issue orally.

3.This Writ Petition is disposed of accordingly. No costs.”

Seeking recall of the said order, this review application has been filed.

2. The learned counsel for the review applicant states that the review applicant is the real owner of the petition-mentioned



property and that the writ petitioner is taking advantage of the similarity in name.

3. The learned counsel appearing for the writ petitioner submits that the writ petitioner has already filed O.S.No.51 of 2025 on the file of the V Additional District Court, Madurai in this regard. Paragraph No.6 of the plaint reads as follows:-

“It is further submitted that the defendant is a stranger and taking advantage of th same name trying to disturb the peaceful possession and enjoyment of the property by the plaintiff. As a fact, the defendant with an ulterior motive to grab the property trying to indulge unlawful activities against the interest of the plaintiff. The defendant also claiming title over the property by way of some imaginary rights.”

4. I am therefore satisfied that when there is a serious dispute regarding identity and the civil Court is also seized of the matter, it may not be appropriate for the writ Court to entertain writ petition. Hence, the order dated 28.11.2025 in W.P.(MD)No.34665 of 2025 is set aside. This review petition is allowed. The writ petition itself is



disposed of with a direction to the learned V Additional District Judge, Madurai to dispose of O.S.No.51 of 2025 on merits and in accordance with law within a period of one year from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

05.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

PMU

To:

1. The District Registrar,
Madurai North,
Rajakampeeram,
Madurai.
2. The Joint-I Sub Registrar,
Madurai North,
Rajakampeeram,
Madurai.



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5

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G.R.SWAMINATHAN, J.

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