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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2026

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.(MD).No.1575 of 2026
and C.M.P(MD).No.7616 of 2026

K.Meera Mohideen

... Petitioner

Vs.

P.Murugan

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records of the fair and decreetal passed in I.A.No.1 of 2024 in O.S.No.329 of 2024 dated 01.12.2025 on the file of the learned I Additional District Judge, Tirunelveli and set aside and allow the civil revision petition as prayed for.

For Petitioner : Mr.P.Gunasekaran

ORDER

The defendant is aggrieved by the order of the learned Judge restraining him from alienating the property.

2.For the sake of convenience, the parties shall be referred to as per their ranks in the suit.



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3.O.S.No.329 of 2024 is a suit for specific performance of an alleged agreement of sale dated 19.08.2022. It also seeks an alternate prayer of return of advance amount of Rs.1,19,38,630/- together with interest. The defendant has entered appearance and has filed a detailed written statement. He has specifically urged that the plaintiff is not entitled to the relief of specific performance. Matter was listed for trial. The plaintiff, along with the suit, had presented an application seeking injunction restraining the defendant from alienating the property. The learned First Additional District Judge, by an order dated 1.12.2025, noting that the suit is ripe for trial, closed the application giving direction to the defendant not to alienate the property or create any encumbrance till the disposal of the suit. He had made the interim order already granted on 21.10.2024 absolute.

4.According to Mr.P.Gunasekaran, the plaintiff is not entitled to the relief of specific performance and more so, when the defendant had stated that he is ready and willing to return the advance amount received from the plaintiff. He states that on account of the interim order granted by the Court, the defendant is put to irreparable loss and prejudice. He further adds though the suit was listed for trial on 01.07.2025, it had been repeatedly adjourned without the trial being opened.

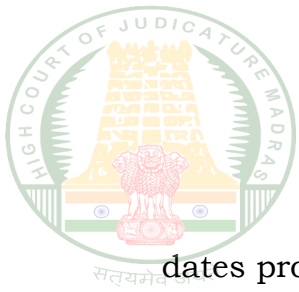


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5. On verification with the E-Courts diary, he reports that the matter has been adjourned on the following dates for awaiting the mediation report, namely, 04.02.2026, 07.03.2026, 10.04.2026 and 06.06.2026. He urges that after obtaining an interim order, the plaintiff is merely seeking adjournment without proceeding further. Hence, he seeks for admission and stay.

6. I have heard the submissions of Mr.P.Gunasekaran. I have gone through the records.

7. At the outset, I should point out that the defendant has been suffering an interim order from October-2024 onwards. As the suit was ripe for trial, the learned Judge has made the injunction absolute. The suit for specific performance being a suit for land, as rightly pointed out by the learned Judge, Section 52 of the Transfer of Property Act would operate. Yet, I have to take note of the fact that having granted an interim order, the Court cannot keep the parties in a state of suspended animation pending the disposal of the suit. The ground on which the application was allowed was that the Court will take up the suit for disposal in December-2025. The



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dates provided by Mr.Gunasekaran indicate that the matter has been merely adjourned without any further progress. Hence, this Civil Revision Petition is disposed to the following directions:-

(i)On 04.07.2026, the learned I Additional District Judge, Tirunelveli, shall call for a report from the Mediator. In case, the Mediator reports that the mediation has failed, the Court shall immediately list the matter in the special list and proceed to take up the suit in O.S.No.329 of 2024 itself for disposal.

(ii)The Court shall ensure that the suit itself is disposed of within a period of nine(9) months from the date of receipt of the report from the Mediator, in case, the mediation report says settlement has failed.
No costs. Consequently, connected Miscellaneous Petition is closed.

23.06.2026

NCC : Yes / No
Index : Yes / No
Rmk

To
1.I Additional District Judge, Tirunelveli.
2.The Section Officer,
VR Section, Madurai Bench of Madras High Court,
Madurai.



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V.LAKSHMINARAYANAN,J.

Rmk

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