



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :01.06.2015

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) .No.5239 of 2015

Ramakrishnan

... Petitioner

Vs

1.The District Registrar,
District Registrar's Office,
Collectorate, Karur.

2.The Sub Registrar,
Sub Registrar's Office,
Kulithalai, Karur District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the second respondent to register the 'pathway agreement deed' dated 26th February 2015 relating to the property in S.F.No.38/4 of Pappakkapatti Village, Krishnarayapuram Taluk, Karur Distirct which is under the jurisdiction of the second respondent.

For petitioner : Mr.RM.Sivakumar

For respondents : Mr.N.S.Karthikayan
Addl.Govt.Pleader

ORDER

The petitioner has come forward with this Writ Petition praying for a writ of Mandamus directing the second respondent to register the 'pathway agreement deed' dated 26th February 2015 relating to the property in S.F.No.38/4 of Pappakkapatti Village, Krishnarayapuram Taluk, Karur Distirct which is under the jurisdiction of the second respondent.

2. The learned counsel for the petitioner would submit that inspite of the fact that the petitioner obtained a favourable decree in O.S.No.41 of 2006, on the file of the District Munsif, Kulithalai, regarding the pathway in question, the respondents refused to register the compromise deed entered into between the petitioner and rival groups. He would further submit that the appeal preferred by the rival group was also dismissed. As against which, the second appeal is pending in which a compromise decree is arrived at between the petitioner and the rival group. Hence, the petitioner has preferred the above said Writ Petition for the relief stated supra.

3. During the course of arguments, the learned Additional Government Pleader produced the proceedings in Na.Ka.No.1018/Aa1/2015 dated 06.03.2015 wherein it is stated that since the clauses of the deeds



stated therein, submitted for registration is not a compromise deed and therefore, it is not registered by the respondents. However, if the petitioner pays appropriate stamp duty of 7%, there is no impediment in registering the document as deed of exchange.

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4. On noticing the above submission, the learned counsel for the petitioner agrees to pay 7% of the stamp duty for registering the document. The said submission is recorded.

5. In light of the above, upon making such payment of 7% stamp duty along with the other necessary charges, if any, the respondents are directed to register the document in question and release the same, within a period of two weeks from the date of such registration.

With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The District Registrar,
District Registrar's Office,
Collectorate, Karur.

2.The Sub Registrar,
Sub Registrar's Office,
Kulithalai, Karur District.

+1cc to Mr.RM.Sivakumar, Advocate, in SR. No. 26617

TS/09.06.2015/2P-4C

W.P (MD) .No.5239 of 2015

01.06.2015