

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.3688 of 2018

K.Subramanian
S/o.Kumaran

.. Petitioner

Vs.

- 1.The Inspector General of Registration
Santhome High Road,
Santhome, Chennai.
 - 2.The District Registrar
Tirupur District Registrar Office (Registration)
Tirupur District.
 - 3.The Sub Registrar
Kangeyam Sub Registrar Office
Kangeyam, Tirupur District.
- ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to register the final decree passed in EP.No.1/2017 in O.S.No.499 of 2004 dated 08.09.2017 on the file of the District Munsif Court, Kangeyam, Erode District, based on the petitioner's representation dated 15.12.2017.

For Petitioner : Mr.M.Saravana KUMar
For Respondents : Mr.R.Govindasamy
Special Government Pleader

सत्यमेव जयते
O R D E R

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the respondents. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to register the final decree passed in EP.No.1/2017 in O.S.No.499 of 2004 dated 08.09.2017, on the file of the District Munsif Court, Kangeyam, Erode District, based on his representation dated 15.12.2017.

3. The grievance of the petitioner is that though he is entitled to get the final decree registered, the third respondent is not registering the same.

4. On the other hand, the learned Special Government Pleader for the respondents submitted that the document presented by the petitioner was a belated one.

5. Needless to say that when a document is presented before the registering authority for registration, it is for the said authority to receive it and either register the same, if there is no legal impediment for doing so or return the document to the person, who presented the same, by issuing a check slip indicating the reason for returning the document. Without doing either of these two things, the third respondent is not entitled to say anything orally and refuse to receive the document. In any event as the third respondent has not passed any order so far, this writ petition is disposed of, without expressing any view on the merits of the matter, only with a direction to the third respondent to consider the document presented for registration and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mk
To

- 1.The Inspector General of Registration
Santhome High Road,
Santhome, Chennai.
- 2.The District Registrar
Tirupur District Registrar Office (Registration)
Tirupur District.
- 3.The Sub Registrar
Kangayam Sub Registrar Office
Kangayam, Tirupur District.

+1cc to Mr.M.Saravanakumar, Advocate Sr.No.12766

AK(CO)
sm:26.2.2018

W.P.No.3688 of 2018