

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2018

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.31292 of 2018

K.Janaki

...Petitioner

..Vs..

The Sub Registrar,
Madhavaram,
Chennai.

...Respondent

Prayer : Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to receive and register the Decree in O.S.6556 of 2006 on the file of the learned XII Assistant Judge, City Civil Court, Chennai dated 31.01.2018 relating to Survey No.93-20 cents and Survey No.94/3 (Old S.No.94)- 8 cents both situated in Selavoyal Village, formerly Tondaiyarpur Taluk, now Perambur Taluk.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the respondent to receive and register the Decree in O.S.6556 of 2006 on the file of the learned XII Assistant Judge, City Civil Court, Chennai dated 31.01.2018 relating to Survey No.93-20 cents and Survey No.94/3 (Old S.No.94)- 8 cents both situated in Selavoyal Village, formerly Tondaiyarpur Taluk, now Perambur Taluk.

2. The case of the petitioner is that one S.Sundar and S.Leelavathi filed a suit against the petitioner and others in O.S.No.6556 of 2006, before the XII Assistant Judge, City Civil Court, Chennai, in respect of the properties in Survey No.93-20 cents and Survey No.94/3 (Old S.No.94) -8 cents, which are situated in Selavoyal Village, formerly Tondaiyarpur taluk, now Perambur Taluk, seeking relief of permanent injunction on the basis of registered sale deed dated 24.09.1997 in document

No.1675 of 1997. The said suit, after trial was dismissed on 31.01.2018 and the same had become final. Since the said document has to be registered, the petitioner obtained appointment for registration of the decree dated 31.01.2018 through online and he was given appointment on 12.11.2018 between 12 and 13 hrs vide temporary document No.TP/49462450/2018. Pursuant to which, the petitioner also visited the respondent's office on 12.11.2018 by 12.00 P.M. As the same had been returned by the respondent without any reason, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

3. Mr.T.M.Pappiah, learned Special Government Pleader who accepts notice on behalf of the respondent submits that the respondent shall register the decree dated in O.S.6556 of 2006 on the file of the learned XII Assistant Judge, City Civil Court, Chennai dated 31.01.2018, on production of the same by the petitioner, as per law.

4. Considering the facts and circumstances of the case and having regard to the submissions made, without going into the merits of the case, this Court directs the respondent to receive and register the Decree in O.S.6556 of 2006 on the file of the learned XII Assistant Judge, City Civil Court, Chennai dated 31.01.2018, on production of same by the petitioner, as per law, within a period of four weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

arr
To

Sub Assistant Registrar

1. The Sub-Registrar,
Madhavaram,
Chennai.

+1 cc to Mr.N.Suresh, Advocate, S.R.No.88838

+1 cc to the Government Pleader, S.R.No.89478

W.P.No.31292 of 2018

NRI (CO)
SSM(11/01/2019)