



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P. (MD) No.10586 2019

and

W.M.P. (MD) No.8115 of 2019

A.James

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o. Inspector General of Registration,
Santhome,
Chennai.

2.The District Registrar (Administration),
District Registrar Office Complex,
Dindigul,
Dindigul District.

3.The Sub Registrar,
Joint II,
District Registrar Office Complex,
Dindigul,
Dindigul District.

4.D.Nagarajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents herein to make entries of the Judgment and Decree dated 19.10.2005 passed in Appeal Suit in A.S.No.64 of 2002 on the file of Additional Sub-Court Dindigul in the entries pertaining to the Encumbrance of the Agricultural Land Property in New Survey Nos.761/2, 761/1, 760/3, 760/1, 760/6 to a total extent of 3.43 Ares at Kuttathupatti Village, Dindigul Taluk and District within the time frame stipulated by this Court.

For Petit

:Mr.T.Lajapathi Roy

For R1 to R3

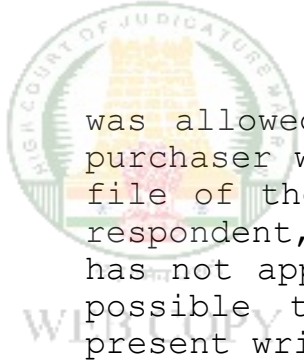
:Mr.M.Murugan

Government Advocate

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for R1 to R3.

2.The petitioner had purchased the petition mentioned property from one Nallaperumal @ Raja and Balasubraman @ Kannan. The said vendors of the writ petitioner were the appellants in A.S.No.64 of 2002 on the file of the Additional Sub Court, Dindigul. The appeal



was allowed in their favour on 19.10.2005. The petitioner as the purchaser wants the said Judgment and decree to be registered on the file of the third respondent. When the petitioner moved the third respondent, the third respondent submitted that since the petitioner has not approached the registering authority within time, it is not possible to register the Judgment and Decree. Therefore, the present writ petition came to be filed.

3.The learned counsel appearing for the writ petitioner drew my attention to the order dated 28.11.2016 made in W.P.(MD)No.18805 of 2013 (Lakshmi Vs. Sub Register). The learned Judge construing the Sections 23 and 25 of the Registration Act, 1908, held that the time limit is not mandatory. Therefore, the third respondent is directed to register the petition mentioned Judgment and Decree. The writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar(CS)

To

1.The Inspector General of Registration,
O/o. Inspector General of Registration,
Santhome,
Chennai.

2.The District Registrar (Administration),
District Registrar Office Complex,
Dindigul,
Dindigul District.

3.The Sub Registrar,
Joint II,
District Registrar Office Complex,
Dindigul,
Dindigul District.

+1 CC to M/s.SPL GP (SR-63738[F] dated 29/04/2019)
+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-64264[F] dated
30/04/2019)

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and
W.M.P. (MD)No.8115 of 2019
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CS (KM) : 09/05/2019/2P/6C