

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.02.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 11265 of 2019

D.Dakshayani

... Petitioner

-vs-

1. The Sub Registrar,
Virugambakkam Sub Registrar Office,
Virugambakkam.

2. Maheswari ... Respondents
[R2 implead as per order dated 19.07.2019
in WMP. No.13070 of 2019]

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to register the decree in A.S. No. 278 of 2014 passed by the VII-Additional City Civil Court, Chennai, on 29.06.2018 before the Sub Registrar Office, Virugambakkam.

For Petitioner : Mr. K. Chockalingam

For Respondents: Mr. T.M. Pappiah,
Special Government Pleader (for R1)

सत्यमेव जयते
O R D E R

Heard Mr. K. Chockalingam, Learned Counsel for the Petitioner and Mr. T.M. Pappiah, Learned Special Government Pleader, who takes notice for the First Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Learned Counsel for the Petitioner submits that the Judgment and Decree dated 29.06.2018 in A.S. No. 278 of 2014 has been passed by the VII Additional City Civil Court, Chennai, and that the Petitioner had applied for its certified copy on 04.07.2018, which was made ready by the Registry on 30.01.2019,

and the same was presented for registration on 26.03.2019, within the prescribed period of four months, and that the Registering Authority has wrongfully refused to register the same, on the ground that it is beyond the period of four months prescribed in Section 23 of the Registration Act, 1908, which is impeached in this Writ Petition.

3. In response to the same, Learned Special Government Pleader appearing for the First Respondent submits that if the document is presented again for registration, the same would be considered in accordance with law taking into account the aforesaid constructions made on behalf of the Petitioner.

4. Recording the aforesaid submissions made, the Writ Petitions is disposed. No costs.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

kv

To

The Sub Registrar,
Virugambakkam Sub Registrar Office,
Virugambakkam.

+1 cc to Government Pleader Sr.No. 14203

W.P. No. 11265 of 2019

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A.SK(27/05/2020)

सत्यमेव जयते

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