

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.13781 of 2020
and
W.M.P.No.17129 of 2020

1.Kumaravel
2.Satishkumar
3.Velmurugan

... Petitioners

Vs.

The Sub-Registrar,
Bhuvanagiri,
Bhuvanagiri Taluk,
Cuddalore District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to register the decree dated 28.11.2019 passed in O.S.No.93 of 2019 on the file of the Principal District Judge, Cuddalore.

For Petitioners: Mr.R.Gururaj

For Respondent : Mr.T.M.Pappaiah
Special Government Pleader

O R D E R

This writ petition has been filed for issuance of a writ of mandamus, directing the respondent to register the decree passed in O.S.No.93 of 2019 dated 28.11.2019.

2.The case of the petitioners is that a decree was passed in O.S.No.93 of 2019 on 28.11.2019 by the Principal District Judge, Cuddalore. In the said suit, the respondent was arrayed as 2nd defendant. In the said suit, the 1st and 2nd petitioners were the plaintiffs and the 3rd petitioner was the 1st defendant. The decree was passed declaring that the 1st and 2nd petitioners are entitled for $\frac{1}{2}$ share and the 3rd petitioner is entitled for the remaining $\frac{1}{2}$ share. The petitioners have now come together to deal with the entire property. Therefore, the decree was presented for registration before the respondent. The grievance of the petitioners is that it was not entertained by the respondent.

3.Heard Mr.R.Gururaj, learned counsel for the petitioners and Mr.T.M.Pappaiah, learned Special Government Pleader, for the respondent.

4.Taking into consideration the facts and circumstances of the case and also of the fact that the petitioners have come together and decided to deal with the entire property, the respondent is directed to entertain the decree presented by the petitioners and register the same, if it is otherwise in order. The petitioners shall pay the necessary stamp duty and registration fee.

This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Sub-Registrar,
Bhuvanagiri,
Bhuvanagiri Taluk,
Cuddalore District.

W.P.No.13781 of 2020

VG II(CO)
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