

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.03.2020
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
W.P.No.24698 of 2018

G. Manickam

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai - 600 004.

2.The District Registrar (Administration)
Tiruppur.

3.The Sub Registrar
Thottipayalam,
Tiruppur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of certiorarified mandamus, calling for the record pertaining to the order in Na.Ka.No.743/AA1/2018 order dated 09.07.2018 passed by the 2nd respondent and quash the same and further direct the 3rd respondent to register final decree dated 10.08.2017 made in O.S.No.738/2010.

For Petitioner : Mr. P. Tamilavel

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

O R D E R

This writ petition has been filed challenging the order passed by the second respondent refusing to entertain the appeal filed by the petitioner and for a consequential direction to the third respondent to register the final decree dated 10.08.2017 made in O.S.No.738/2010.

2. The case of the petitioner is that a partition suit was filed in O.S.No.738/2010 and ultimately, the parties came to a compromise and based on the compromise memo, an award was passed by the Lok Adalath on 09.08.2017. Thereafter, a final decree was also passed on 10.08.2017. When the petitioner presented the final decree for registration, the same was returned by the third respondent on the ground that there is a discrepancy in

the boundary that is found in the compromise entered into between the parties and the final decree. The petitioner filed an appeal against the same before the second respondent and the same was rejected. Aggrieved by the same, the present writ petition has been filed before this Court.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4. Taking into the facts and circumstances of the case, the third respondent is directed to receive the final decree from the petitioner and proceed further to register the final decree in accordance with law. The third respondent need not go into the issue of discrepancy found in the boundary description. This process shall be completed by the third respondent, within a period of two weeks from the date on which the document is presented for presentation by the petitioner.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai - 600 004.

2.The District Registrar (Administration)
Tiruppur.

3.The Sub Registrar
Thottipayalam,
Tiruppur District.

+1cc to M/s.P.Tamilavel, Advocate, S.R.No.20620
+1cc to the Government Pleader, S.R.No.21635

W.P.No.24698 of 2018

BP(CO)
mrp/27.05.2020