

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

C.S.No.640 of 2019

1.Yasmin S.Lehri  
"Heritage Sankara",  
S-43, No.64, Spur Tank Road,  
Chetpet, Chennai 600 031.

2.Gulnar Fakhruddin  
Madhava Co-operative Society,  
Flat No.7, 2nd Floor, 1982, Convent Street,  
Pune-411 001.

3.Fatima Tayebally  
"Elina Living". B1103, 11th Floor,  
S.M.Ghule Patil Road,  
Mohammedwadi, Pune 411 060.  
(Plaintiffs 2 and 3 are represented herein,  
by their Power of Attorney Agent,  
Mrs.Yasmin S.Lehri, the 1st Plaintiff) ...Plaintiffs

Vs

Mohammed Ally Dehgamwala  
Public Charitable Trust  
No.158, Linghi Chetty Street,  
4th Floor, Chennai - 600 001.

... Defendant

Civil Suit praying that this Hon'ble Court be pleased to pass a judgment and decree for:

(i) Directing Partition of the suit property by metes and bounds and according to the convenience of enjoyment and putting the plaintiffs in separate possession of their 83.34% share in the suit property.

(ii) Directing the defendant to pay to the plaintiffs the cost of the suit.

This suit coming on this day before this court for hearing, the Court made the following order:

By judgment dated 06.02.2020, C.S.No.640 of 2019 was decreed in terms of a Memorandum of Compromise entered into between the parties thereto, which was incorporated as an integral part of the decree. The matter is listed today before me 'for clarification' pursuant to a Memo dated 26.08.2020 filed by the learned counsel for the Plaintiffs.

2. Mr. P. J. George submitted that notwithstanding the fact that the judgment and decree of this Court was communicated to the Joint Registrar, the Joint Registrar failed to enter the particulars in Book I as required by Section 89(2) of the Registration Act, 1908.

3. Upon considering the said submission by way of clarification, it is sufficient to state that the judgment and decree were directed to be

communicated to the Office of the Joint Registrar so as to ensure compliance with all legal requirements and, in particular, the requirements of the Registration Act and the rules framed thereunder.

It is always open to the parties to take further action in case of non-compliance. A copy of this order may be communicated to the Joint Registrar.

Sd./-S.K.R.J  
11.11.2020

//Certified to be true copy//  
Dated at Madras this the                      day of                      2020.

COURT OFFICER(O.S.)

From 25th day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

JJ 20/11/2020

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