

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 18.01.2021**

**CORAM: JUSTICE N.SESHASAYEE**

**W.P.No.731 of 2021**

Manickam

...Petitioner

-Vs-

1. The District Registrar,  
Registration Department,  
Tiruppur District,  
Tiruppur.

2. The Sub-Registrar,  
Registration Department,  
Palladam,  
Tiruppur District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Refusal Check Slip dated 07.12.2020 on the file of the 2<sup>nd</sup> respondent herein, quash the same and consequently direct the 2<sup>nd</sup> respondent herein to register the Judgment and Decree dated 11.09.2018 passed in A.S.No.10/2018 on the file of the Sub-Court, Palladam.

For Petitioner : Mr.K.Govi Ganesan

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

**ORDER**

The petitioner approached the 2<sup>nd</sup> respondent to register the compromise decree dated 07.12.2020, but it was presented well beyond 8 months time for registering the documents, on this ground, the Sub-Registrar has issued a check slip indicating that the document was belatedly presented for registration.

2. Heard Mr.N.Manokaran, learned counsel for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader for the respondents.

3. The learned counsel for the petitioner brought to the notice of this Court in a judgment of this Court in ***K.Dhayanidhi vs. State of Tamil Nadu*** [2020 (2) TNCJ 737(Mad)], wherein, this Court has held that registering a decree of the Court is an occasional registration and hence, the limitation prescribed under Sections 23 and 25 of the Act, would not apply.

4. This Court perused the documents.

5. The learned Special Government Pleader appearing for the

respondents would submit that the registration gives exception in the document and hence, the Sub-Registrar has refused to register the document. Admittedly, the decree was presented for registration beyond the period of limitation of 8 months prescribed for the same, the Registration Authorities do not have any powers to condone the delay on payment of penalty.

6. This Court concurs with the law as declared by this Court in ***K.Dhayanidhi vs. State of Tamil Nadu***. In view of the same, this Court directs the 2<sup>nd</sup> respondent to register the compromise decree which was followed by the Division Bench of this Court in ***S.Sarvothaman v. The Sub Registrar at Oulgaret, Puducherry*** [ 2019(3)MLJ 517 = AIR 2019 Mad 125.

7. Accordingly, this Writ Petition is allowed. No costs.

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18.01.2021

Index : Yes/No  
ssn

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**N.SESHASAYEE, J.,**

ssn

To

1. The District Registrar,  
Registration Department,  
Tiruppur District,  
Tiruppur.

2. The Sub-Registrar,  
Registration Department,  
Palladam,  
Tiruppur District.



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