

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.15615 of 2022

P.Tamilselvan

... Petitioner

Vs.

1.The District Registrar,
Office of the District Registration,
Tindivanam,
Villupuram District.

2.The Sub Registrar,
Valathi Sub Registrar Office,
Valathi, Ginji Taluk,
Villupuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to register the award of the Lok Adalat Gingee made in LAC No.151 of 2021 dated 10.04.2021.

For Petitioner : Mr.S.Ayyathurai
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to register the Award of the Lok Adalat, Gingee made in LAC No.151 of 2021, dated 10.04.2021.

2. The case of the petitioner is that he filed a suit in O.S.No.146 of 2020 for declaration and permanent injunction. During the pendency of the said Suit, the matter was referred to Lok Adalat, Gingee for mediation and settlement and the same was taken on file in LAC No.151 of 2021. On 10.04.2021, Award has been passed in terms of the Settlement Memo, dated 10.04.2021 arrived at between the petitioner and his brother, who is the defendant therein. After receipt of the certified copy of the Settlement Memo and Award passed by the Lok Adalat, the petitioner approached the second respondent for registering the same, however, the second respondent had not entertained the documents for registration. Therefore, the petitioner made a representation dated 30.11.2021 to the first respondent, seeking

to issue a direction to the second respondent to register the said documents, however, no action was taken by the second respondent. Again, the petitioner made another representation dated 04.01.2022 before the second respondent. As the said representation made by the petitioner has evoked no response from the respondents, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to register the Award passed by the Lok Adalat in LAC No.151 of 2021 by considering the petitioner's representation dated 04.01.2022 and pass orders within a particular time frame that may be fixed by this Court.

4. The learned Special Government Pleader appearing for the respondents has no objection for the said order being passed.

5. The Award passed by the Lok Adalat is equivalent to Civil Court's decree. This Court, in umpteen number of cases, held that based on the decree passed by a Civil Court, the registering authority is bound to register a decree. Such being the case, the Award passed by the Lok Adalat stands on same footing.

6. Considering the limited relief sought for by the petitioner, this Court directs the petitioner to re-present the relevant documents relating to the Award passed by the Lok Adalat, Gingee for registration, within a period of two weeks from the date of receipt of a copy of this order and thereafter, the second respondent is directed to entertain the documents, if it is otherwise in order, and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks, after receipt of necessary Stamp Duty and Registration Charges.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sp/anu

To

1.The District Registrar,
Office of the District Registration,
Tindivanam,
Villupuram District.

2.The Sub Registrar,
Valathi Sub Registrar Office,
Valathi, Ginji Taluk,
Villupuram District.

+1 cc to Mr.S.Ayyathurai, Advocate Sr.NO. 38658
+1 cc to Government Pleader Sr.NO. 39611

W.P. No.15615 of 2022

skm(CO)
A.SK(19/07/2022)