



W.P.No.29109 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29109 of 2022

1. R. Kousalya

2. K. Ravichandran @ Perungunarayana

... Petitioners

vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Pattinapakkan,
Chennai – 600 028./

2. The Sub Registrar,
Anna Nagar Sub Registratr Office,
Nollambur, Chennai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records in respect of the impugned order Refusal Check Slip vide Refusal Number : RFL/Anna Nagar /349/2022, dated 13.10.2022 passed by the second respondent to quash the same and to direct the second respondent to register the Certified Copy of the Decree dated 13.06.2018 made in



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O.S.No.2485 of 2016 on the file of the XVIII Additional city Civil Court, Chennai and the decree/order dated 04.03.2022 made in A.S.No.927/2018 on the file of this Hon'ble court, on payment of 1% registration fee based on the suit Value in O.S.No.2485 of 2016 without insisting for payment of any stamp duty, delay fee and period of limitation under Section 23 of the Registration Act.

For Petitioner	: Mr.D. Gopinathan
For Respondents	: Mr.G. Krishna Raja Additional Government Pleader

ORDER

By consent of both the parties this writ petition is taken up for disposal at the admission stage itself.

2.This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records in respect of the impugned order Refusal Check Slip vide Refusal Number : RFL/Anna Nagar /349/2022, dated 13.10.2022 passed by the second respondent to quash the same and to direct the second respondent to register the Certified Copy of the Decree dated 13.06.2018 made in O.S.No.2485 of 2016 on the file of the XVIII Additional city Civil Court, Chennai and the decree/order dated 04.03.2022



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made in A.S.No.927/2018 on the file of this Hon'ble court, on payment of 1% registration fee based on the suit Value in O.S.No.2485 of 2016 without insisting for payment of any stamp duty, delay fee and period of limitation under Section 23 of the Registration Act.

3. The case of the petitioner is that the petitioner has paid the necessary registration charges based on the suit value for registering the Court Decree. However the second respondent refused to register the decree. Hence the petitioner has filed the present Writ Petition.

4. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submits that, it would suffice, if this Court issues direction to the 2nd respondent to register the Court Decree without insisting any further payment as he has paid the necessary registration charges.

5. The learned Additional Government Pleader appearing for the respondents submitted that the decree presented by the petitioner will be



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Registered if the petitioner has complied with the necessary procedures as per the law.

6. On perusal of records it is made clear that the petitioner has presented the Court's Decree for registration and has paid the registration charges for registering the Court's Decree, however, the respondent had refused to register the Decree and insisted to pay further charges for registering the Court Decree.

7. In view of the above this Court directs the second respondent to entertain the Certified Copy of the Decree dated 13.06.2018 made in O.S.No.2485 of 2016 on the file of the XVIII Additional city Civil Court, Chennai and the decree/order dated 04.03.2022 made in A.S.No.927/2018 on the file of this Court within a period of six weeks from the date of receipt of a copy of this order after receiving any registration charges if any, if there is no legal impediment.



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WEB COPY 8. With the above observations and directions, this Writ Petition is disposed of. No costs.

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Index : Yes/No
Speaking order : Yes/No
smn

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Pattinapakkan,
Chennai – 600 028./
2. The Sub Registrar,
Anna Nagar Sub Registratr Office,
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M.DHANDAPANI,J.

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