



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 28.02.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P.[MD]No.3555 of 2022**

Vasantha

... Petitioner

Vs.

The Sub Registrar,  
Melapalayam Sub Registrar Office,  
Melapalayam,  
Tirunelveli - 5.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in RFL/Melapalayam/6/2022 dated 14.02.2022 and quash the same and further directing the respondent to register the judgment and decree dated 02.01.2017 passed in O.S.No.470/2013 on the file of 1<sup>st</sup> Additional District Munsif Court, Tirunelveli presented by the writ petitioner.

For Petitioner : Mr.T.Selvan  
For Respondent : Mr.S.Shanmugavel  
Additional Government Pleader

**O R D E R**

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This Writ Petition has been filed challenging the order dated 14.02.2022 passed by the respondent refusing to register the judgment and decree dated 02.01.2017 passed in favour of the petitioner in O.S.No.470 of 2013 on the file of the I Additional District Munsif Court, Tirunelveli.

**2.**The impugned order has been passed on the ground that the petitioner has presented the judgment and decree for registration on 14.02.2022 beyond the period of four [4] months as stipulated under Section 25 of the Registration Act, 1908.

**3.**Since the petitioner has presented the judgment and decree for registration on 14.02.2022, even though the judgment was passed on 02.01.2017, the respondent has refused to register the judgment and decree by its impugned order dated 14.02.2022.

**4.**The law with regard to the said issue is well settled now by various decisions of this Court. In all the said decisions, insofar as registration of Court judgments and decrees are concerned, no limitation is applicable. This Court had also followed the earlier decisions of this Court in its recent order in W.P.[MD]No.3163 of



2022 dated 18.02.2022 and held that in respect of Court judgments and decrees, no limitation is applicable. Therefore, the impugned order has been passed by total non-application of mind to the well settled law. Hence, it has to be necessarily quashed and the writ petition has to be allowed.

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5. Accordingly, the impugned order dated 14.02.2022 passed by the respondent is hereby quashed and the writ petition is allowed and the respondent is directed to register the judgment and decree dated 02.01.2017 passed by I Additional District Munsif Court, Tirunelveli, within a period of four [4] weeks from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition stands allowed. There shall be no order as to costs.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

**NOTE:** *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

The Sub Registrar,  
Melapalayam Sub Registrar Office,  
Melapalayam,  
Tirunelveli - 5.

+1 CC to M/s.SPL GP ( SR-9183[F] dated 01/03/2022 )

**W.P. [MD]No.3555 of 2022**

**28.02.2022**

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