



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.3896 of 2022

WEB COPY

Senthoorkani

.. Petitioner

Vs

The Sub Registrar,
Udankudi Sub Registrar Office,
Thoothukudi District.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of refusal check slip dated 02.02.2022 and quash the same and consequently direct the respondent to register the Civil Court Decree in O.S.No.63 of 2012 on the file of the learned District Munsif, Tiruchendur, dated 24.02.2014.

For Petitioner : Mr.T.Antony Arul Raj

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip, dated 02.02.2022, under which, the Judgment and Decree passed in O.S.No.63 of 2012 on the file of the learned District Munsif, Tiruchendur, dated 24.02.2014, was refused to be registered on the ground that the said Judgment and Decree was presented for registration beyond the period of four months as stipulated under Section 23 of the Registration Act.

2.The issue is now well settled in the law laid down by the Division Bench of this Court in the case of **A.K.Gnanasankar v. The Joint II Sub Registrar, Cuddalore-2, passed in W.A.No.2395 of 2003, dated 23.03.2007**, wherein, it has been held that the Decree is a permanent record of Court and hence, no limitation can be prescribed to register the same. The said Division Bench Judgment has been followed by various decisions of the learned Single Judges of this Court, including myself by order, dated 18.02.2022, in W.P.(MD). No.3163 of 2022. Therefore, the impugned refusal check slip, dated 02.02.2022, issued by the respondent has to be necessarily quashed.



3. Accordingly, the impugned refusal check slip issued by the respondent, dated 02.02.2022, is hereby quashed and the writ petition is allowed. The respondent is directed to register the Civil Court Decree passed, in O.S.No.63 of 2012, on the file of the learned District Munsif, Tiruchendur, dated 24.02.2014, if it is otherwise in order, within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Deputy Registrar(LA & MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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,
Udankudi Sub Registrar Office,
Thoothukudi District.

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-9932[F] dated 04/03/2022)

+1 CC to M/s.SPL GP (SR-10201[F] dated 04/03/2022)

W.P. (MD)No.3896 of 2022
03.03.2022

NSN(CO)
TR(18.03.2022) 2P 4C