



W.P(MD)No.20693 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2022

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.20693 of 2022

Raja

... Petitioner

**Vs.**

1.The Inspector General of Registration,  
Door No.100,  
Santhome High Road,  
Foreshore Estate,  
Pattinapakkam,  
Chennai-600028.

2.The Joint Sub Registrar No.2,  
Tenkasi -627811.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records pertaining the impugned refusal check slip in RFL / Joint Sub Registrar No.2, Tenkasi / 55 / 2022 dated 11.07.2022 passed by the second respondent and quash the same and consequentially directing him to register the final decree dated 23.11.2007 passed in O.S. No.27 of 1997 on the file of the Principal Subordinate Court, Tenkasi within a time frame that may be fixed by this Honble Court on payment of necessary stamp duty and necessary registration charges and without insisting on the period of limitation under Section 23 of the Registration Act, 1908.



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For Petitioner : Mr.T.R.Jeyapalam  
For Respondents : Mr.K.S.Selvaganesan  
Additional Government Pleader

**ORDER**

Heard the learned counsel on either side.

2. The petitioner presented the petition mentioned civil court's final decree for registration. The second respondent took the stand that it was belatedly filed.

3. It has been held time and again that time limit stipulated under Section 23 of the Registration Act is not applicable to the court decrees.

4. In view of the same, the impugned refusal check slip is quashed and the writ petitioner is permitted to re-present the final decree. The respondent shall entertain the same and register it subject to fulfilment of usual formalities.

5. The Writ Petition is allowed. No costs.

**01.09.2022**

Index : Yes / No  
Internet : Yes/ No  
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To  
1.The Inspector General of Registration,  
Door No.100,  
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2.The Joint Sub Registrar No.2,  
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**G.R.SWAMINATHAN, J.**

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