



W.P.(MD).No.24930 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24930 of 2022

V.Ayyappan

... Petitioner

VS.

The Sub Registrar,
Kavivalam Sub Registrar Office,
Karivalam,
Thenmalai Village,
Tenkasi District.

... Respondent

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the respondent to register the decree dated 29.04.2022 in O.S.No.53/2020 on the file of the learned Principal District Munsif, Sivagiri and delete the entries of documents registered as No(s).365/2011 from its file in respect of the petitioner's property situated at Thenmalai Village, Sivagiri Taluk, Tenkasi District, by considering the petitioner's representation dated 13.09.2022.

For Petitioner : Mr.S.I.Muthiah

For Respondent : Ms.S.Jeyapriya
Government Advocate



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to register the decree dated 29.04.2022 in O.S.No.53/2020 on the file of the learned Principal District Munsif, Sivagiri and delete the entries of documents registered as No(s).365/2011 in respect of the petitioner's property situated at Thenmalai Village, Sivagiri Taluk, Tenkasi District, by considering the petitioner's representation dated 13.09.2022.

2. The case of the petitioner is that he has filed a suit in O.S.No.53 of 2020 before the Principal District Munsif Court, Sivagiri seeking the relief of declaration of title and sought for a decree to set aside the sale deed dated 10.02.2011. The trial Court proceeded with the trial and passed an ex-parte decree on 29.04.2022 and till date, the defendants have not filed any application to set aside the ex-parte decree. As such, the decree dated 29.04.2022 made in O.S.No.53 of 2020 attained finality. Hence, the petitioner has made an application to register the decree made in O.S.No.53 of 2020 before the Principal District Munsif Court,

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Sivagiri. However, the respondent has not received the same. Therefore, the petitioner has made a representation to the respondent on 13.09.2022, to register the decree. Though the respondent has received the same, till date no response was forthcoming. Hence, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

4. Considering the above said facts, this Court directs the respondent to register the decree dated 29.04.2022 made in O.S.No. 53/2020 on the file of the learned Principal District Munsif, Sivagiri and delete the entries of documents registered as No(s).365/2011 in respect of the petitioner's property situated at Thenmalai Village, Sivagiri Taluk, Tenkasi District, by considering the petitioner's representation dated 13.09.2022, within a period of eight weeks from the date of receipt of a copy of this order.



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

03.11.2022

Index: Yes/No

Internet: Yes/No

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To

The Sub Registrar,
Kavivalam Sub Registrar Office,
Karivalam,
Thenmalai Village,
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V.BHAVANI SUBBAROYAN,J.

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