



WEB COPY

W.P.No.19643



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19643 of 2023

D.Kumaresan

... Petitioner

Vs.

1.The Sub-Registrar - Anna Nagar,
Integrated Sub Registrar Office's Campus,
576, Mogappair West,
Ambattur Industrial Estate,
Chennai – 600 037.

2.The District Registrar – Central Chennai,
No.268, Pycroft Road,
Royapettah,
Chennai – 600 014.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Refusal No.12/2016 dated 14.10.2016 of the 1st respondent confirming the Order No.11330/Aa1/2016 dated 27.09.2016 of the 2nd respondent and quash the same and consequently issue a direction to register the court decree dated 18.02.2015 in I.A.No.7003 of 2008 in O.S.No.8803 of 1987 passed by the Hon'ble VII Assistant City Civil Court, Chennai at the 1st respondent office.

For Petitioner : Mr.G.Vasudevan

For Respondents : Mr.T.Arun Kumar,
Additional Government Pleader



ORDER

The order passed by the District Registrar refusing to register the Court Decree presented for registration is under challenge in the present Writ Petition.

2. The petitioner instituted a Suit for Partition and a preliminary was passed. The preliminary decree was presented for registration and the said document was returned by the registering authority on the ground that there was delay in presenting the Court Decree for registration.

3. This Court has already decided the issues and the Court Decree cannot be refused for registration on the ground of delay. Therefore, there is no impediment for the registering authority to proceed with the registration.

4. Accordingly, the 1st respondent is directed to proceed with the registration of the Court Decree presented by the writ petitioner, if it is otherwise in consonance with the provisions of the Act and Rules in force. The said exercise is directed to be completed within a period of four (4) weeks from the date of receipt of a copy of this order. Accordingly, the impugned order dated 14.10.2016 in Refusal No.12/2016 passed by the 1st respondent is quashed.



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5. In fine, the Writ Petition stand allowed. No costs.

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Index : Yes

Speaking order

To

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S.M.SUBRAMANIAM, J.

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