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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 01.09.2023**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.No.13377 of 2018**

Suresh @ Manikandan ... Petitioner

Vs.

The Sub Registrar,
Sub Registrar Office,
Anthiyur, Erode District. ... Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in the nature of check slip dated 19.04.2018 issued by the respondent, quash the same, and consequently direct the respondent to register the decree and judgment dated 04.07.2017 made in O.S.No.197 of 2015 passed by the learned Sub Judge, Bhavani relating to the house property measuring 1318 sq.ft., bearing Door Nos. 8 and 9, comprised in R.S.No.20/1 Pachampalayam Village, Anthiyur Taluk, Erode District.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr.E.Sundaram
Government Advocate

**ORDER**



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The refusal check slip dated 19.04.2018 issued by the respondent is sought to be quashed in the present writ petition.

2. The petitioner presented a judgment and decree passed in O.S.No.197 of 2015 dated 04.07.2017 for registration. The respondent return the document along with the impugned check slip stating that the judgment and decree was presented for registration belatedly.

3. Delay cannot be a ground for refusal in registration in respect of judgment and decree passed by the Civil Court.

4. Hence, the decree issued on 04.07.2017 is registrable and thus, the reason stated by the respondent for refusal of registration is improper. Accordingly, the impugned refusal check slip passed by the respondent in proceeding No. 1 of 2018 dated 19.04.2018 is quashed and the respondent is directed to proceed with the registration if the document presented by the petitioner is otherwise in accordance with the provisions of the Registration Act.



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5. The aforesaid 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, this writ petition stands allowed. No costs.

**01.09.2023**

Index : Yes
Speaking order
Neutral Citation : Yes

mp

To

The Sub Registrar,
Sub Registrar Office,
Anthiyur, Erode District.



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**S.M.SUBRAMANIAM, J.**

mp

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