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A.S.No.469 of 2019
and
Cross Objection No.40 of 2021

R.SUBRAMANIAN,J.
and
Dr.D.NAGARJUN,J.

While disposing of the appeal with a direction that the Sub-Registrar, Rasipuram will complete the proceedings for compulsory registration as per Rule 58 of the Registration Rules, we had directed the trial Court to send back Ex.A3 to the Registrar to enable him to proceed with the enquiry relating to compulsory registration.

2. It is now learnt that Ex.A3 is only the certified copy and the original of that document is also before the Court and the same should be sent to the Sub-Registrar, Rasipuram. Paragraph No.16 and 17 of our judgment dated 12.10.2023 reads as follows:-

*16. The appeal is therefore **allowed** and the judgment of the trial Court is set aside, the suit is remitted to the trial Court. The District Court will send back **Ex.A3** to the Sub-Registrar. The concerned Sub-Registrar is*



required to conclude the proceeding under Rule 58 which were stopped half way because of the incorrect action of the District Court in summoning the document to itself and decide the same. Upon the decision the parties will have recourse to remedies provided under the Registration Act in the event of refusal of registration. If the document is directed to be registered then it will be registered and the same can be sent back to the District Court and the District Court will thereafter proceed with the trial of the suit. The parties will be entitled to file additional pleadings on the conclusion of the proceedings before the Registrar. The District Court will frame necessary issues and dispose of the suit.

*17. There will be a direction to the sub-Registrar, Rasipuram to complete the proceedings for compulsory registration within a period of six months from the date of receipt of the documents by him from the District Court. Needless to state that the Registrar will hear the parties and give sufficient opportunity to the parties before pronouncing on the registration of the instrument. Cross objection will also stand remitted. The trial Court will send back **Ex.A3** forthwith to the Registrar along with a copy of this order to enable the Registrar to proceed with the proceedings under Rule 58 of the Registration Rules from*



where it was stopped. Considering the relationship between the parties we spare costs.

3. The term “**Ex.A3**” appearing in line No.3 of paragraph No.16 and line No.7 of paragraph No.17 in the original judgment will read as “**original of Ex.A3**”.

4. Registry to issue amended copy of the judgment by 24.04.2024.

(R.S.M., J.) (D.N.R., J)
18.04.2024

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