



W.P.No.21338 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.21338 of 2023

1.M.Janakiraman

2.M.Ravi

3.D.Rosi

... Petitioners

Vs.

1. The Inspector General Of Registration,
No. 100, Santhome High Road,
Pattinampakkam, Chennai 28

2.The District Registrar,
No.52 Orikkai Madura,
Udhayamangalam Village,
Near Anna Kudiyruppu,
Kanchipuram 631 502

3.The Sub Registrar,
Office Of Sub Registrar,
SH 57,Ramanujar Nagar,
Sriperumbudur,
Kanchipuram District-602 105.

... Respondents



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Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 3rd respondent herein to register the said compromise decree dated 12.11.2022 made in Lok Adalat in O.s. No. 219 of 2019 and O.S. No. 20 of 2020 pursuant to the joint compromise memo entered between the parties.

For Petitioners : Mr.C.Santhosh Kumar

For Respondents : Mr.D.Ravichander
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the third respondent to register the compromise decree dated 12.11.2022 made in Lok Adalat in O.S. No. 219 of 2019 and O.S. No. 20 of 2020 pursuant to the joint compromise memo entered between the parties.

2. The petitioners state that they have presented the Lok Adalat award dated 12.11.2022 for registration. The Lok Adalat award was issued under the provisions of the Legal Services Authorities Act. It is an order passed by the Lok Adalat under the provisions of the Act and therefore, there is no reason to refuse the registration of the Lok Adalat award by the Registering Authority.



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3. The learned counsel for the petitioners made a submission that the petitioners presented the Lok Adalat award for registration but the third respondent orally refused to register the Lok Adalat award presented by the petitioners.

4. Under Section 21 of the Legal Services Authority Act, the award passed by the Lok Adalat is a decree and therefore, the document is registrable under the provisions of the Registration Act. In respect of the period of limitation contemplated under Section 23 of the Registration Act, the Division Bench, in the case of *S.Sarvothaman vs The Sub-Registrar* reported in **2019 (2) CWC 314** held that “*By applying the decision in the case of Padala Satyanarayana Murthy to the facts of the case, the only conclusion that could be arrived at is that a court decree is not compulsorily registerable and that the option lies with the party. In such circumstances, the law laid down by this Court clearly states that the limitation prescribed under the Act would not stand attracted.*”

5. In view of the fact that the Lok Adalat award is a decree and registrable, there is no impediment for registering the Lok Adalat award



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presented by the petitioners. Accordingly, the respondents are directed to receive the Lok Adalat award presented by the writ petitioners for registration and accordingly, register the same by following the procedures as contemplated under the Act within a period of four (4) weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands **allowed**. No costs.

(sha)

09.08.2023

Index : Yes

Speaking Order

Neutral Citation : Yes

To

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S.M.SUBRAMANIAM. J.,

(sha)

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