



W.P.Nos.21709 & 21710 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.21709 & 21710 of 2023

S.T.Vivek Sundar

... Petitioner in both W.Ps.

Vs.

1. The District Registrar,
Cheyyar, Tiruvannamalai District.

2. The Joint Sub Registrar II,
Tiruvatipuram, Cheyyar,
Tiruvannamalai District.
W.Ps.

... Respondents in both

Common Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 2nd respondent to register the certified copy of the decree and judgment dated 9.08.2017 passed in O.S. Nos.184 & 185 of 2014 on the file of the Sub Court of Cheyyar, on payment of registration charges and without insisting on the period of limitation under Section 23 of the Registration Act.

For Petitioner
in both W.Ps. : Mr.S.Gunaseelan for
M/s.M.Hemalatha

For Respondents
in both W.Ps. : Mr.E.Sundaram, Government Advocate



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COMMON ORDER

The relief sought in the present writ petition is to direct the second respondent to register the certified copy of the decree and judgment dated 09.08.2017 passed in O.S.NoS.184 & 185 of 2014 on the file of the Sub Court Cheyyar, on payment of registration charges.

2. The petitioner presented a certified copy of the Judgment and Decree for registration before the second respondent. The second respondent Registering Authority returned the document on the ground that there was a delay in presenting the decree for registration. Thus, the petitioner is constrained to move the present writ petition.

3. The learned Government Advocate appearing on behalf of the respondents, based on the written instructions, made a submission that the petitioner had not presented the document properly nor approached the second respondent for registering the Judgement and Decree.

4. May that as it be. This Court cannot conduct a roving enquiry in respect of such allegation made between the parties. However, the petitioner is at liberty to present the certified copy of the Judgment of



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Decree once again before the second respondent for registration. On such presentation, the second respondent shall receive the document and register the same by following the procedures as contemplated under the Registration Act and Rules in force. The document to be presented by the petitioner need not be returned on the ground of delay in presentation. In the event of presentation, the second respondent is directed to register the same by collecting the registration and other charges in the manner contemplated.

5. With these directions, the writ petition stands **disposed of**.

However, there shall be no order as to costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

26.07.2023

To

1. The District Registrar,
Cheyyar, Tiruvannamalai District.

2. The Joint Sub Registrar II,
Tiruvatipuram, Cheyyar,
Tiruvannamalai District.

S.M.SUBRAMANIAM. J.,



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