



Review Application No.140 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Review Application No.140 of 2022

against

C.R.P.No.3154 of 2018

Yusuf

... Applicant

-Vs-

1. Ajijin
2. Ajirun
3. Amiyun
4. Ramijabi
5. Allah Baksh
6. Meherum

... Respondents

Prayer:- Review Application filed under Order 47 Rule 1 r/w 114 of CPC to review the order passed by this Hon'ble Court in CRP (NPD) No.3154 of 2018 dated 16.07.2021.

For Applicant : Mr.D.Rajagopal

For R1 to R3 : Notice served

No appearance

For R4 to R6 : Deceased (Steps due)

ORDER

This Review Application has been filed to review the order passed by this Court in C.R.P.No.3154 of 2018 dated 16.07.2021, thereby dismissed the Civil Revision Petition.



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2. The petitioner filed the Civil Revision Petition as against the order passed by the learned Subordinate Judge, Gudiyatham, Vellore in I.A.No.Nil of 2017 in O.S.No.12 of 2013 dated 26.10.2017 to send the intimation to the Sub Registrar, Gudiyatham to make entry in the relevant register with regards to allotment of the suit property. However, the said application was dismissed on the ground of limitation, since after passing the decree or order it has to be registered within a 120 days from the date of decree or order. However, it was belated and as such, it was rejected.

3. The learned counsel for the petitioner would submit that at the time of passing order, the settled law position was not brought to this Court. Though Section 23 of the Registration Act says that a decree or order may be presented within a period of four months from the date on which the decree or order was made to this Court, this Court directed the concerned Registrar to register the document without reference to time stipulation as provided under Section 23 and 25 of Registration Act, since registration is only a part of procedural law. Further, the limitation will apply in other cases, but not in respect of Court decree or order wherein compromise decree has been passed.



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4. In the light of the above, the order passed in CRP (NPD) No.3154 of 2018 dated 16.07.2021 is hereby recalled. This Review Application stands allowed. There shall be no order as to costs.

14.09.2023
(1/2)

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
mn



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G.K.ILANTHIRAIYAN, J.

mn

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