



W.P.(MD) No.1855 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2023

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THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.1855 of 2020

1.Dr.V.Nithyanandan

2.K.Jawahar

... Petitioners

/vs./

The Joint Sub Registrar,
Madurai (South),
171, Palace Road,
Madurai 625 001.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating the impugned order passed by the respondent in Na.Ka.No.6833/R1/2019 dated 21.11.2019 and quash the same as illegal and consequently direct the respondent to register the settlement memo (compromise decree/award) in L.A.No.461/2019 dated 13.07.2019 recorded in O.S.No.34/2019 and passed as Final Decree on the file of the I Additional District Judge, Madurai by receiving stamp duty in terms of Article 45(a) read with Explanation appended to Article 58(a)(i) of Schedule I



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of The Indian Stamp Act 1899 within the period that may be stipulated by this Court.

For Petitioners : Mr.M.Jerin Mathew

For Respondent : Mr.M.Prakash
Additional Government Pleader

ORDER

The above writ petition has been filed for a Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in Na.Ka.No.6833/R1/2019 dated 21.11.2019, quashing the same as illegal and consequently directing the respondent to register the settlement memo (compromise decree/award) in L.A.No.461/2019 dated 13.07.2019 recorded in O.S.No.34/2019 and passed as Final Decree on the file of the I Additional District Court, Madurai by receiving stamp duty in terms of Article 45(a) read with Explanation appended to Article 58(a)(i) of Schedule I of The Indian Stamp Act, 1899.

2.It is informed by the learned Additional Government Pleader for the respondent that the petitioner has not appeared in person to submit the documents



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for registration, which is one of the reasons why the impugned order came to be passed. Therefore, the petitioner shall submit the necessary documents for registration before the Joint Sub Registrar No.1, Madurai South, Madurai, who is the respondent herein and who shall take it on file and register it by following due process of law.

3.With the above direction, the Writ Petition is disposed of. However, there shall be no order as to costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

20.03.2023

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To

The Joint Sub Registrar,
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P.T.ASHA, J.

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