



W.P(MD)No.2396 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2396 of 2023

N.H.M.Pandian

... Petitioner

Vs.

1.The Inspector General of Registration,
Door No.100,
Santhome High Road,
Foreshore Estate,
Pattinapakkam,
Chennai-600028.

2.The Sub Registrar,
Surandai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining the impugned refusal check slip in RFL/Surandai/1/2023, dated 30.01.2023 passed by the second respondent and quash the same and consequently, direct him to register the decree dated 29.03.2022 passed in O.S.No.366 of 2016 on the file of the Principal District Munsif Court, Tenkasi within a time frame that may be fixed by this Court on payment of necessary registration charges without insisting for payment of any stamp duty and without insisting on the period of limitation under Section 23 of the Registration Act, 1908.



W.P(MD)No.2396 of 2023

For Petitioner : Mr.TR.Jeyapalam
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner presented the petition mentioned court judgment and decree for registration before the second respondent.

3. Citing Section 23 of the Registration Act, the second respondent declined to register the same and issued the impugned refusal check slip. It is too well settled that time limit set out in Section 23 of the Registration Act is not applicable to the court Judgment and decree. The impugned refusal check slip is quashed. The petitioner is permitted to re-present the petition mentioned judgment and decree and the second respondent will certify the same and register it subject to fulfilment of other usual formalities.

4. The Writ Petition is allowed. No costs.

07.02.2023

Index : Yes / No
Internet : Yes/ No
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To

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Santhome High Road,
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2.The Sub Registrar,
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G.R.SWAMINATHAN, J.

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