



W.P(MD)No.2645 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2645 of 2023

R.Mahesh @ Maheswaran

... Petitioner

Vs

The Joint Sub Registrar (Registration),
Sivagangai Join Sub Registrar No.1,
Sivagangai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the respondent in No. RFL/Sivagangai Joint 01.02.2023 dated 02.02.2023 and quash the same and consequently direct the respondent herein to register the certified copy of the compromise decree and judgment dated 09.12.2020 in O.S.No.31 of 2015 on the file of the learned Additional District Sessions Court, Sivagangai within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.R.Govindaraj

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader



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ORDER

Heard the learned counsel on either side.

2.The petition mentioned judgment and decree was declined to be registered by the respondent on the sole ground that it was not filed in time. It is well settled that Section 23 of the Registration Act, 1908 is not applicable to registration of Court judgments and decrees.

3.In this view of the matter, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the petition mentioned judgment and decree. The respondent shall receive it and register it subject to the fulfilment of the other usual formalities. This writ petition is allowed on these terms. There shall be no order as to costs.

09.02.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Additional District Sessions Court,
Sivagangai.



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2.The Joint Sub Registrar (Registration),
Sivagangai Join Sub Registrar No.1,
Sivagangai District.



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G.R.SWAMINATHAN, J.

MGA

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