



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.6859 of 2022

Ganesan

... Petitioner

Vs.

1. The District Registrar,
O/o.The District Registrar,
Sivagangai,
Sivagangai District.

2. The Sub Registrar,
O/o.The Sub Registrar Office,
Kalayar Kovil,
Sivagangai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to register the certified copies of the decree and judgment made in O.S.No.17 of 2014 on the file of the learned District Munsif, Sivagangai dated 27.10.2017 and also certified copy of the judgment and decree passed in A.S.Nos.95 of 2017 and 96 of 2017 on the file of the learned Sub Court, Sivagangai dated 25.08.2021 on payment of registration charges alone without insisting on the period of limitation under Section 23 of the Registration Act 1908 and on the basis of the petitioner's representation dated 16.03.2022.



For Petitioner : Mr.B.Santhanam Rajesh Kumar

For Respondents: Mr.V.Nirmal Kumar,
Government Advocate.

* * *

ORDER

Heard both sides.

2. The only reason for not registering the petition-mentioned decrees is that they were presented beyond the period of limitation set out under Section 23 of the Registration Act 1908. It is well settled that such limitation will not apply to Court decrees.

3. In this view of the matter, the second respondent is directed to register the petition-mentioned judgments and decrees subject to fulfillment of the other usual formalities. This writ petition stands allowed. No costs.

11.10.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

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To:

1. The District Registrar,
O/o.The District Registrar,
Sivagangai,
Sivagangai District.
2. The Sub Registrar,
O/o.The Sub Registrar Office,
Kalayar Kovil,
Sivagangai District.



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G.R.SWAMINATHAN,J.

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