



W.P.(MD)No.15039 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.15039 of 2021

Sarbudeen

... Petitioner

-VS-

1.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Pattinampakkam,
Chennai – 600 028.

2.The Sub-Registrar,
Tharagampatti Sub Registrar Office,
Tharagampatti, Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to receive application and certified copy of Judgement and final decree dated 30.07.2004, passed in the suit in O.S.No.92 of 2001, on the file of the District Munsif Court, Kulithalai, Karur District, on presentation and consequently register the same within a time stipulation on payment of registration charges alone without insisting for payment of any stamp duty and without insisting on the period of limitation under Section 23 of the Registration Act, 1908.



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For Petitioner : Mr.P.Maharaja
For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the second respondent to register the judgment and decree passed in O.S.No.92 of 2001 by the learned District Munsif, Kulithalai, Karur District, dated 30.07.2004, within the time frame fixed by this Court.

2. Heard Mr.P.Maharaja, learned counsel appearing on behalf of the petitioner and Mr.K.S.Selvaganesan, learned Additional Government Pleader appearing on behalf of the respondents.

3. The issue with regard to the registration of the judgment and decree passed by the Civil Court has already been settled by this Court in a series of judgments. Even the limitation provided under Section 23 of the Registration Act, 1908, will not apply to registration of judgment and decree.



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4. In view of the above, there shall be a direction to the petitioner to submit a certified copy of the judgment and decree passed in O.S.No.92 of 2001, dated 30.07.2004, to the second respondent. On receipt of the same, the second respondent shall register the same subject to the petitioner fulfilling all other formalities.

5. This Writ Petition is disposed of with the above direction. No costs.

NCC : Yes/No
Index : Yes/No
smn2

06.11.2023

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Pattinampakkam,
Chennai – 600 028.
- 2.The Sub-Registrar,
Tharagampatti Sub Registrar Office,
Tharagampatti, Karur District.



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N.ANAND VENKATESH, J.

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