



W.P(MD)No.15287 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15287 of 2022

Saburammal

... Petitioner

Vs.

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

2.The Sub Registrar
Sub-Registrar Office,
Aravakurinji Taluk,
Karur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to register the certified copy of the final decree dated 09.03.2007 passed in the suit in I.A.No.363 of 2004 in O.S.No.236 of 2004 on the file of the Additional District Munsif Court, Karur District,



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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.

For Petitioner : Mr.S.Mohammad Kasim

For Respondents : Mr.N.Satheeskumar

Additional Government Pleader

ORDER

Heard the learned counsel appearing on either side

2. When the petitioner filed the petition mentioned decree for registration, the Registering Authority took the stand that it is barred by limitation.

3. It is well settled law that Section 23 of the Registration Act is not applicable to registration of Courts judgment and decree.

4. The petitioner is permitted to re-present the decree / orders it shall be received and registered subject to the fulfilment of other usual



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formalities. The Registering Authority is entitled to collect the registration charges as per the suit value.

5. The writ petition is disposed of, accordingly. No costs.

01.03.2023

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

RM



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To:

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Foreshore Estate,
Pattinapakkam,
Chennai - 600 028.
- 2.The Sub Registrar
Sub-Registrar Office,
Aravakurinji Taluk,
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G.R.SWAMINATHAN, J.

RM

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