



W.P(MD)No.16112 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.16112 of 2022

Brain Herold Broderick Jenkins

... Petitioner

Vs.

The Sub Registrar (Registration),
Kodaikanal,
Dindigul District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the record of the proceedings in RFL/Kodaikanal/124/2021 dated 14.12.2021 on the file of the respondent and quash the same as illegal incompetent and without jurisdiction and consequently direct the respondent to register the judgement and decree in O.S.No.45 of 2004 on the file of the District Munsif cum Judicial Magistrate, Kodaikanal, dated 14.09.2005.



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W.P(MD)No.16112 of 2022

For Petitioner : Mr.H.Lakshmi Shankar

For Respondent : Mr.C.Satheesh,
Government Advocate

ORDER

The Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking records in RFL/Kodaikanal/124/2021 dated 14.12.2021 on the file of the respondent herein and set aside the same. The petitioner had presented a decree in O.S.No.45 of 2004 dated 14.09.2005 on the file of the District Munsif Cum Judicial Magistrate, Kodaikanal, for registration. The same was refused to be registered.

2. Placing reliance on Section 23 of the Indian Registration Act, 1908, the respondent themselves have pass a circular that with respect to registration of a Court decree, there is no period of limitation.

3. A direction is given to the respondent herein to register the Court decree, if it is otherwise in order whenever it is presented



W.P(MD)No.16112 of 2022

through proper procedure within a period of three weeks from the date of its presentation.

4. With the above directions, the Writ petition stands allowed. No costs.

15.06.2023

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

RM

To

The Sub Registrar (Registration),
Kodaikanal,
Dindigul District.



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W.P(MD)No.16112 of 2022

C.V.KARTHIKEYAN, J.

RM

W.P(MD)No.16112 of 2022

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