



W.P.(MD)No.16809 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.16809 of 2022

G.Srinivasan

... Petitioner

vs.

1.The District Registrar,
Trichirappalli District, Cantonment,
Trichirappalli.

2.The Sub Registrar,
Srirangam, Sub Registrar's office,
Ammamandapam Road,
Srirangam, Trichirappalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal order passed by the second respondent herein, dated 21.10.2021 in RFL/Srirangam/89/2021 and quash the same and consequently, to direct the second respondent to register the judgment and decree passed in O.S.No.134 of 2012 on the file of the learned First Additional Subordinate Judge, Trichirappalli presented by the petitioner in accordance with law within a time frame fixed by this Court.



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For Petitioner :Mr.K.S.Kathiravan
For Respondents :Mr.J.Ashok
Additional Government Pleader

ORDER

This Writ Petition has been filed in the nature of Certiorarified Mandamus seeking interference of this Court to the impugned order passed by the second respondent, dated 21.10.2021 and for a direction to the second respondent to register the decree passed in O.S.No.134 of 2012 on the file of the learned First Additional Subordinate Judge, Trichirappalli presented by the petitioner.

2.Heard Mr.K.S.Kathiravan, learned Counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondents.

3.The second respondent had refused to register the decree passed in O.S.No.134 of 2012 on the file of the learned First Additional Subordinate Judge, Trichirappalli, when presented by the petitioner for registration by an order, dated 21.10.2021. The second respondent had



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placed reliance on Section 24 of the Indian Registration Act, 1908, which prescribed a time limit of four months for presenting a Court decree for registration.

4.However, the said issue had been examined by the Division Bench of this Court and the ratio laid down had been consistently followed. The Division Bench judgment has been reported in **2019 (3) MLJ 517**, in the case of **S.Sarvodhaman vs Sub Registrar, Pondichery**. Even though that matter relates to Pondichery, still even in Registrations followed within the State of Tamil Nadu, the consistent stand of the Court is that there cannot be limitation period fixed for registration of Court decree. It is also informed that circular has also been issued in this regard by the State of Tamil Nadu.

5.The ratio laid down is binding on this Court and a direction is issued to the second respondent to register the Court decree in the aforementioned suit, when presented for registration without insisting on the period of limitation.



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6.The Writ Petition stands allowed. The petitioner to present the aforesaid document for registration on or before 24.03.2023 and within a period of two weeks from thereafter, the document to be registered by the second respondent. No costs.

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

10.03.2023

cmr

To

- 1.The District Registrar,
Trichirappalli District, Cantonment,
Trichirappalli.
- 2.The Sub Registrar,
Srirangam, Sub Registrar's office,
Ammamandapam Road,
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C.V.KARTHIKEYAN, J.

cmr

Order made in
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