



W.P. (MD).No.17101 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 08.11.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.17101 of 2021

C.Ramasamy

... Petitioner

Vs

The Joint Sub Registrar,
O/o. the Joint No.1 Sub Registrar,
Thanjavur, Thanjavur District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent Joint-1 Sub Registrar, Thanjavur to register the Civil Court Decree and Judgment passed in favour of the petitioner in O.S.No.135 of 2012 on the file of the District Munsif Court, Thanjavur as document and to consider the petitioner's representation, dated 10.08.2021.

For Petitioner : Mr. K. Abiya

For Respondent : Mr.A.K.Manikkam
Special Government Pleader



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ORDER

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This Writ Petition has been filed for the issue of a writ of mandamus, directing the respondent to register the civil Court decree passed in O.S.No.135 of 2012 by the District Munsif, Thanjavur.

2.Heard, the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

3.The petitioner wanted to register the civil Court decree passed in O.S.No.135 of 2012 by the District Munsif, Thanjavur and that it was presented for registration, the respondent did not register the same. It is under these circumstances, the present writ petition has been filed before this Court.

4.It is now too well settled that the decree of a civil Court has to be registered once the certified copies of the Judgment and Decree is presented before the Sub Registrar. Even Section 23 of the Registration Act, 1908, will not apply and the Sub Registrar cannot refuse to register on the ground that it is barred by limitation.



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5.In view of the above, there shall be a direction to the respondent to entertain the certified copies of the Judgment and Decree passed in O.S.No.135 of 2012 by the District Munsif, Thanjavur and register the same, subject to the petitioner fulfilling other formalities.

6.This writ petition stands disposed of with the above directions. No costs.

08.11.2023

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

To

The Joint Sub Registrar,
O/o. the Joint No.1 Sub Registrar,
Thanjavur, Thanjavur District.



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N.ANAND VENKATESH, J.

PNM

**ORDER IN
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