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W.P.No.9561 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.9561 of 2018
and
W.M.P.No.11460 of 2018

D.Chandran

... Petitioner

Vs.

The Sub-Registrar,
Ashok Nagar Office of the Sub-Registrar,
Ashok Nagar, Chennai-600 083.

... 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 to register the decree and judgment passed in O.S.No.9800 of 2009 dated 28.10.2009 on the file of the learned XIV Assistant Judge, City Civil Court, Chennai in the encumbrance column pertaining to the paid property more fully described in the schedule appended to the Writ Petition.

For Petitioner : Mr.D.Ashok Kumar

For Respondent : Mr.B.Vijay,
Additional Government Pleader



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W.P.No.9561 of 2016

ORDER

It is the grievance of the petitioner that based on the Decree and Judgment passed in O.S.No.9800 of 2009 dated 28.10.2009 on the file of the learned XIV Assistant Judge, City Civil Court, Chennai, the same has not been registered on the ground that the same has been presented beyond the period of four months.

2.This Court has repeatedly held that the period of four months as contemplated under Section 23 of the Registration Act, will not apply to the Decree and Judgment of the Courts. It is relevant to point out this Court in the case of *M.Rajendran vs. The Inspector General of Registration and others* by common order dated 25.06.2021 made in *W.P.(MD).Nos.8091, 8093 & 9446 of 2020* had elaborately discussed and held that the delay as contemplated under Section 23 of the Registration Act is not a bar for registering the sale certificate or a decree of the Court.

3.In such a view of the matter, the petitioner shall present the document for registration as per the present existing rules on the online application and on such application, the document shall be registered within



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a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

15.04.2024

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No
mps

To

The Sub-Registrar,
Ashok Nagar Office of the Sub-Registrar,
Ashok Nagar, Chennai-600 083.



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N. SATHISH KUMAR, J.

mps

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