



W.P.No. 6310 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 6310 of 2024

M.Karthikeyan

... Petitioner

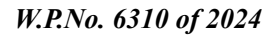
versus

The Sub Registrar,
Ariyalur SRO,
Ariyalur District.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to receive and register the Decree and Judgment dated 09.12.2020 in O.S.No.60 of 2017 passed by the Sub Court, Ariyalur without insisting plaint documents and stamp duty on the market value of the property within a time to be stipulated by this Court.

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For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

Mr.Yogesh Kannadasan, learned Special Government Pleader accepts notice for the respondent. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondent to receive and register the Decree and Judgment dated 09.12.2020 in O.S.No.60 of 2017 on the file of the Sub Court, Ariyalur, without insisting plaint documents and stamp duty on the market value of the property within a time to be stipulated by this Court.

3. The learned counsel for the petitioner submitted that the petitioner's father filed the said suit in O.S.No.60 of 2017 on the file of the Sub Court, Ariyalur for declaration of title and permanent injunction in respect of the



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subject property and has obtained a decree in his favour on 09.12.2020.

While so, the petitioner presented the said decree before the respondent for registration along with necessary stamp duty and registration charges.

However, the respondent refused to register the same and insisted the petitioner to pay the stamp duty on the guideline value of the property.

Hence, the petitioner is constrained to file the present writ petition.

4. Heard both sides and perused the materials available on record.

5. It is seen from the records that the petitioner has not produced any documents to prove that he presented the decree for registration and the respondent has refused to register the decree. Petitioner neither produced any token number or refusal check slip. Therefore, this Court is of the view that the petitioner has no cause of action for filing the present writ petition and the writ petition is not maintainable. However, the petitioner is at liberty to work out his remedy in the manner known to law.



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6. In view of the above, this writ petition is dismissed. There shall be

no order as to costs.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

ms

To

The Sub Registrar,

Ariyalur SRO,

Ariyalur District.



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P.VELMURUGAN, J.

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