



WEB COPY



WP.No.13340 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **06.06.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.13340 of 2024 & WMP.No.14401 of 2024

Chandran

.. Petitioner

Versus

The Sub Registrar,
Harur, Dharmapuri 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 records with respect of the impugned proceedings passed by the respondent in the name of Refusal check slip in Refusal No. RFL / Harur / 63 / 2024 dated 04.04.2024 and quash the same and consequently directing the respondent herein to register the final decree proceeding dated 26.09.1989 passed in O.S. No 1247 / 1984 on the file of the District Munsif Court, Harur.

For Petitioner : Mr.J.Pradeep

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

With the consent of both sides, this Writ Petition is taken up for final

disposal at the admission stage itself.

<https://www.mhc.tn.gov.in/judis>



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2. This writ petition is filed to quash the impugned proceedings passed by the respondent in Refusal check slip in Refusal No. RFL / Harur / 63 / 2024 dated 04.04.2024 and consequently direct the respondent herein to register the final decree dated 26.09.1989 passed in O.S. No 1247 / 1984 on the file of the District Munsif Court, Harur.

3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent and perused the materials available on record.

4. It is the contention of the learned counsel for the petitioner that when the final decree dated 26.09.1989 passed in O.S. No 1247 of 1984 on the file of the District Munsif Court, Harur was presented for registration, the same has been refused to be registered on the ground that description of the property is incorrect. Challenging the same, the present Writ Petition has been filed.

5. I have perused entire materials available on record. When a decree of the Court is sought to be registered, the same cannot be refused to be registered on frivolous grounds. The decree of the Court has to be registered



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as per section 23 of the Registration Act. In such view of the matter, the refusal slip of the respondent has to be quashed.

6. Accordingly, this Writ Petition is allowed and the refusal slip of the respondent dated 04.04.2024 stands quashed and the respondent is directed to register the final decree dated 26.09.1989 passed in O.S. No 1247 / 1984 on the file of the District Munsif Court, Harur presented by the petitioner within a period of fifteen days from the date of receipt of a copy of this Order. No costs. Consequently, connected miscellaneous petition is closed.

06.06.2024

vrc

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

To,

The Sub Registrar,
Harur, Dharmapuri District.



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N. SATHISH KUMAR, J.

vrc

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