



WEB COPY



WP.No.15002 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

**WP.No.15002 of 2024**

N.Ramakrishnan

.. Petitioner

Versus

1. The Inspector General of Registration,  
No.100, Santhome High Road,  
Foreshore Estate, Chennai – 600 028.
2. The District Registrar,  
O/o.District Registrar, Dharmapuri – 636 701.
3. The Sub Registrar,  
O/o.Sub Registrar, Karimangalam, Dharmapuri Distirct. .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the third respondent passed Order in pending document No.40 of 2023 dated 02.02.2024, quash the same and consequently, direct the third respondent to register the judgment and decree in appeal in A.S.No.167 of 1989 on the file of the Subordinate Judge, Dharmapuri within the time stipulated by this Court.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.Yogesh Kannadasan  
Special Government Pleader



WP.No.15002 of 2024

## **ORDER**

WEB COPY

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to quash the impugned Order passed by the third respondent in pending document No.40 of 2023 dated 02.02.2024 and consequently, direct the third respondent to register the judgment and decree in appeal in A.S.No.167 of 1989 on the file of the Subordinate Judge, Dharmapuri within the time stipulated by this Court.

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

4. It is the case of the petitioner that when he presented the decree and judgment in A.S.No.167 of 1989 for registration, the same was refused to be registered by the respondent on the ground that original documents, a copy of the Will and the encumbrance certificate obtained prior to 10 days of registration have not been produced. Challenging the same, the present Writ

Petition has been filed.



WP.No.15002 of 2024

5. Since the impugned Order is against the very fundamental principles of law and it is has been passed without application of mind, this Court is of the view that no counter is required. At the outset, this Court is of the view that when a competent Civil Court has passed the decree on the basis of the documents and when the decree passed by the Court is presented for registration, the registration authorities insisting on original documents and other documents and refusing to register the decree cannot be sustained in the eye of law as held by this Court in various judgments. When the Orders of the Court determining the rights of the parties sought to be registered, the registering authorities cannot sit over as appellate Court and refuse to register such document. In such view of the matter, the refusal slip of the third respondent has to be quashed.

6. Accordingly, this Writ Petition is allowed and impugned refusal slip dated 02.02.2024 of the respondent is quashed. The respondent is directed to register the decree in A.S.No.167 of 1989 dated 29.08.1990 presented by the petitioner within a period of one month from the date of receipt of a copy of this order. No costs.

**11.06.2024**

vrc



WP.No.15002 of 2024

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

To,

1. The Inspector General of Registration,  
No.100, Santhome High Road,  
Foreshore Estate, Chennai – 600 028.
2. The District Registrar,  
O/o.District Registrar, Dharmapuri – 636 701.
3. The Sub Registrar,  
O/o.Sub Registrar, Karimangalam, Dharmapuri Distirct.



WEB COPY



WP.No.15002 of 2024

**N. SATHISH KUMAR, J.**

vrc

**W.P.No.15002 of 2024**

**11.06.2024**