



WEB COPY



WP.No.14966 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.14966 of 2024

Dharmarajee Alias Dharmalingam

.. Petitioner

Versus

1. The Inspector General of Registration,
100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalaipuram,
Chennai – 600 028.

2. The District Registrar,
Namakkal Registration District, Namakkal.

2. The Sub Registrar,
Namagiripettai Sub Registrar's Office,
Namakkal District.

.. Respondents

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 pertaining to the impugned refusal check slip issued by the third respondent in RFL / Namagiripettai / 44 / 2024 dated 22.03.2024 and quash the same and consequently direct the third respondent to register the decree in I.A. No 682 of 2012 in O.S. No 144 of 1991 dated 20.04.2016 passed by the learned District Judge, Rasipuram bearing pending number TP / 177786770/ 2024 within a time as stipulated by this court.



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For Petitioner : Ms.Mahasree

For Respondents : 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.

2. This writ petition is filed to quash the impugned refusal check slip issued by the third respondent in RFL / Namagiripettai / 44 / 2024 dated 22.03.2024 and consequently direct the third respondent to register the decree in I.A. No 682 of 2012 in O.S. No 144 of 1991 dated 20.04.2016 passed by the learned District Judge, Rasipuram bearing pending number TP / 177786770/ 2024 within a time as 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. The case of the writ petitioner is that when he presented the decree in



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I.A.No.682 of 2012 in O.S.No.144 of 1991 for registration, the same was refused to be registered on the ground that the name of the petitioner in the decree and the aadhar card differs and that in the decree it is referred as Dharmarajee and in the aadhar card it is mentioned as Dharmalingam. It is the grievance of the petitioner that though he has given an undertaking before the registering authorities, the same was not considered and decree has been refused to be registered. Challenging the same, the present Writ Petition has been filed.

5. At the outset, this Court is of the view that when the petitioner himself has given an undertaking, merely because some mistake crept in the documents, the same cannot be put against the petitioner. When the presence of the person is clearly established and photograph is taken, it is not for the registering authorities to still question identity of the person. In such view of the matter, the Order impugned has to be quashed.

6. Accordingly, this Writ Petition is allowed and the impugned Order dated 22.03.2024 passed by the third respondent stands quashed. The third respondent is directed to register the decree in I.A.No.682 of 2012 in O.S.No.144 of 1991 on the file of the District Court, Rasipuram, on receipt of



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undertaking from 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

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

To,

1. The Inspector General of Registration,
100, Santhome High Road, Mullima Nagar,
Mandavelipakkam, Raja Annamalaipuram,
Chennai – 600 028.
2. The District Registrar,
Namakkal Registration District, Namakkal.
2. The Sub Registrar,
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N. SATHISH KUMAR, J.

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