



WP.No.19577 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.19577 of 2021

B.Vinayagamoorthy

.. Petitioner

Versus

The Sub-Registrar
Registrar Office
Thiruvottriyur
Chennai – 600 019

.. Respondent

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 in RFL/Thiruvottriyur/3/2021 dated 18.08.2021 on the file of respondent and quash the same and direct the respondent to register the sale certificate presented before the respondent on 18.08.2021.

For Petitioner : Dr.G.Krishnamurthy

For Respondent : Mr.B.Vijay
Special Government Pleader



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ORDER

WEB COPY By consent of both parties, this writ petition is taken up for disposal.

2. Challenging the refusal slip issued by the respondent refusing to register the document on the ground that sale certificate presented by the petitioner is beyond the period of limitation, i.e., 4 months.

3. Heard both sides and perused the entire materials placed on record.

4. This Court has repeatedly held that any sale certificate or a decree of the Court is presented for registration, the delay contemplated under Section 23 of the Registration Act, 1908 will not apply. 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.

5. Such view of the matter, the impugned order is set aside and there shall be a direction to the respondent to register the sale certificate including



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the delivery report dated 18.08.2021 presented by the petitioner. Such exercise shall be completed within a period of one month from the date of receipt of a copy of this Order.

6. With the above direction, this writ petition is allowed. No costs.

17.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

The Sub-Registrar
Registrar Office
Thiruvottriyur
Chennai – 600 019



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N. SATHISH KUMAR, J.

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