



WEB COPY



WP.No.16712 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.16712 of 2024

B.Jayanthi

.. Petitioner

Versus

1. The Inspector General of Registration,
Registration Department,
Santhome High Road, Chennai – 600 004.

2. The Sub Registrar,
Ambattur Sub Registrar office,
Ambattur, Chennai – 600 053.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent herein to consider the petitioner's representation dated 29.01.2024 and 05.04.2024 requesting him to register the judgment and decree dated 28.04.2010 passed by the I Additional District Court, Poonamallee, in the office of the Sub-Registrar Office, Ambattur, the second respondent herein, within the time frame to be fixed by the Court.

For Petitioner : Mr.G.Krishnamurthy

For Respondents : Mr.B.Vijay



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Additional 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 direct the second respondent to consider the petitioner's representation dated 29.01.2024 and 05.04.2024 requesting him to register the judgment and decree dated 28.04.2010 passed by the I Additional District Court, Poonamallee, within the time frame to be fixed by the Court.

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

4. The case of the petitioner is that the subject property has been allotted to the petitioner by the Tamil Nadu Housing Board and she is living there with her family members from the year 1984. While so, one Dhanalakshmi filed a suit in O.S.No.173 of 2009 on the file of the



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Additional District Judge, Fast Track Court No.1, Poonamallee for declaration of title over the above property and the said suit has been dismissed for default. The grievance of the petitioner is that when the petitioner presented the judgment and decree in O.S.No.173 of 2009 for registration, the same was refused to be registered on the ground that the suit has been dismissed for default. Hence, the present Writ Petition.

5. The petitioner seeks to register the decree passed in the suit and the suit has been dismissed for default. The Civil Court has not decided the rights of the parties and there is no adjudication on merits. Further it is not informed whether the dismissal has been subsequently set aside and the suit has been restored. Hence, in the absence of the above particulars, mere registering such a decree will not serve any purpose.

6. Accordingly, this Writ Petition is dismissed. No costs.

27.06.2024

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



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To,

1. The Inspector General of Registration,
Registration Department,
Santhome High Road, Chennai – 600 004.
2. The Sub Registrar,
Ambattur Sub Registrar office,
Ambattur, Chennai – 600 053.



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N. SATHISH KUMAR, J.

VRC

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