



WEB COPY

W.P.No.17845 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.17845 of 2024

K.Asokan

...

Petitioner

versus

The District Registrar,
Registration Department,
Dharmapuri.

2.The Sub Registrar
The Sub Registrar Office,
Pennagaram Taluk,
Dharmapuri District.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned refusal check slip reference No.RFL/Pennagaram/207/2023 refusing to register the Court decree dated 27.02.2003 made in OS.No.10 of 2002 before the District Munisf-cum-Judicial Magistrate, Pennagaram and to quash the same and consequently direct the 2nd respondent to register the said decree and to return the documents on its registration forthwith.



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W.P.No.17845 of 2016



For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.M.Shajahan
Special Government Pleader

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. Challenge has been made to the impugned refusal slip issued by the respondents. The petitioner had presented the decree in OS.No.10 of 2002 dated 27.02.2003 passed by the District Munsif-cum-Judicial Magistrate, Pennagaram for registration before the authorities. However, the authorities had refused to register the same on the ground for want of final and comprehensive decree.

3. At the outset, this Court is of the view that the very impugned refusal order is non application of mind, whether the decree is contested or exparte decree is not a matter for deliberation by the authorities. When the Civil Court has considered the matter and passed the decree, it is the duty of the authorities to register the document.



4. In such view of the matter, the petitioner is directed to present the document. The respondents shall receive the document and register the same within a period of one week from the date of receipt of a copy of this order. No costs.

5. With the above direction, this Writ Petition is allowed. No costs.

09.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The District Registrar,
Gobichettipalayam,
Erode District.

2.The Sub Registrar
Sathyamangalam,
Erode District.



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N.SATHISH KUMAR, J.

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