



WEB COPY

W.P.No.18622 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.18622 of 2024

R.P.Subramaniam

...

Petitioner

versus

The Sub-Registrar,
Avinashi Sub-Registrar Office,
Tiruppur District.

...

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Refusal Check Slip in refusal number RFL/Avinashi/37/2024 dated 15.05.2024 and to quash the same as illegal and incompetent and consequently direct the respondent to register the decree dated 01.04.2024 passed in O.S.No.382 of 2017 on the file of the Principal District Judge, Tiruppur.

For Petitioner : Mr.C.Ramaraj

For Respondent : 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. This Writ Petition is filed to quash the Refusal Check Slip in Refusal Number : RFL/Avinashi/37/2024 dated 15.05.2024 and consequently direct the respondent to register the same.

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

4. It is the case of the writ petitioner that when the decree and judgment of the original suit in O.S.No.382 of 2017 sought to be registered, the same has been refused to be registered on the ground that the survey number differs.

5. It is relevant to note that when the Civil Court has decided the rights of the parties after full trial, the Sub-Registrar has no right whatsoever



WEB COPY

to go into the decree and judgment, citing that the survey number is not tallied. Once the decree of the Court is produced before the Sub-Registrar, the same has to be respected, who cannot interpret the decree one way or another. If such things are repeated, this Court has no other option except to initiate contempt proceedings against the Sub-Registrar.

6. In such view of the matter, the Refusal Check Slip in Refusal Number : RFL/Avinashi/37/2024 dated 15.05.2024 issued by the respondent is quashed. The respondent is directed to register the decree dated 01.04.2024 within a period of one week from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is allowed. No costs.

15.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

3/4



WEB COPY

W.P.No.18622 of 2024



N.SATHISH KUMAR, J.

sri

To

The Sub-Registrar,
Avinashi Sub-Registrar Office,
Tiruppur District.

W.P.No.18622 of 2024

15.07.2024

4/4