



W.P(MD)No.13750 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 26.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13750 of 2024

Murugeshan

... Petitioner

Vs.

1.The State represented by
The District Registrar (Admin),
Dindigul District.

2.The Sub Registrar,
Kodaikanal,
Dindigul District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire record pertaining to the impugned refusal slip dated 04.04.2024 issued by the second respondent in the petitioner's Application No.S01LANDVV202404045213536 and Transaction No.REG202404041747882 dated 04.04.2024 and quash the same as illegal and consequently direct the second respondent to registered the petitioner's Application No.S01LANDVV202404045213536 dated 04.04.2024 and issue registered Document number within the time limit stipulated by this Court.



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For Petitioner : Mr.P.M.Vishnu Varthanan
For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

Heard both sides.

2.The petitioner filed O.S.No.107 of 2005 on the file of District Munsif Court, Kodaikanal and obtained the relief of declaration and permanent injunction on 08.01.2016. He wants to register the same. Citing the circular of the Inspector General of Registration and terming a subject decree as exparte decree, registration was refused. Challenging the same, the present writ petition came to be filed.

3.The issue raised in this writ petition is no longer *res integra*. A learned Judge of this Court vide order dated 13.02.2024 made in W.P.No. 3185 of 2024 had already decided the issue. Even if the decree is an exparte one, still it is the duty of the authority to register the same if any application is submitted to that effect. In this view of the matter, the impugned refusal check slip is set aside. The petitioner is permitted to re-present the document. The petition mentioned judgment and decree



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shall be registered by the second respondent subject to the fulfillment of the other usual formalities.

4.This writ petition is allowed accordingly. There shall be no order as to costs.

26.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

1.The District Registrar (Admin),
Dindigul District.

2.The Sub Registrar,
Kodaikanal,
Dindigul District.

Copy to

The District Munsif Court, Kodaikanal.



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G.R.SWAMINATHAN,J.

MGA

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