



W.P(MD)No.16539 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16539 of 2024

K.G.Rajesh Krishna

... Petitioner

Vs.

1.The District Registrar,
Palani Registrar Office,
Palani, Dindigul District.

2.The Sub Registrar,
Kujiliyamparai Sub Registrar Office,
Kujiliyamparai,
Palani Registration District,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the refusal check slip issued by the 2nd respondent in his proceedings in Refusal Number. RFL/Kujiliamparai/43/2024 dated 16.07.2024 and quash the same as illegal and consequentially to direct the 2nd respondent to register the Judgment and Decree dated 07.01.2015 made in O.S. No.93/2010 on the file of the Additional District Judge, Dindigul within a time stipulated by this Court.

For Petitioner : Ms.H.Jasima Yasmin,
For M/s.Ajmal Associates.

For Respondents : Mr.B.Saravanan,
Addl. Government Pleader.



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ORDER

Heard both sides.

2.The petitioner figured as a defendant in O.S.No.93 of 2010 on the file of Additional District Court, Dindigul. The suit was dismissed on 07.01.2015. The petitioner wanted to register the same. The petitioner's request was rejected and the impugned refusal check slip was issued. The registering authority has taken the view that since the suit was dismissed, it cannot be registered. This approach of the registering authority is patently unsustainable. The registration is in respect of a judgment / decree. The registering authority has nothing to do with the outcome of the suit.

3.In this view of the matter, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the copy of the judgment and decree. It shall be registered by the second respondent. The writ petition is allowed. No costs.

23.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

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Palani Registrar Office,
Palani, Dindigul District.
2. The Sub Registrar,
Kujiliyamparai Sub Registrar Office,
Kujiliyamparai,
Palani Registration District,
Dindigul District.



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G.R.SWAMINATHAN, J.

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