



W.P.(MD) No.21124 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.21124 2024

Leebanon Arulmani

...Petitioner

-VS-

1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai-600 028.

2.The Sub Registrar,
O/o.the Sub Registrar,
Kovilpatti.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorarified Mandamus, to call for the records relating to the rejection of the refusal check slip bearing No.RFL/Kovilpatti/82/2024 dated 13.08.2024 passed by the second respondent herein and quash the same as illegal and consequently direct the second respondent herein to register the copy of the decree passed by the learned Subordinate Court, Kovilpatti in O.S.No.5 of 1998, dated 07.11.2023 in favour of the petitioner herein relating to the properties described therein, in accordance with the provisions of the Registration Act.

1/6



W.P.(MD) No.21124 of 2024

O.S.No.5 of 1998 dated 07.11.2023 for registration, the same was refused to be registered for want of documents to prove title.

3.The very refusal order passed by the Sub Registrar/second respondent clearly indicates that she had shown disrespect to the decree and judgment of the Courts below as well as this Court. When the issue with regard to the property in question, had attained finality by virtue of the decree and judgment of this Court, the second respondent has no right to go into the title of the property and other document. Therefore, insisting the production of original in such cases, is not at all required. Therefore, the Sub Registrar concerned was asked to show cause, why she should not be proceeded for contempt of Court. Today, the concerned Officer appeared and submitted that she will not commit such mistake here after. However, it is to be noted that she has not shown any remorse to her Act.

4.Though the act of the second respondent clearly amounts to contempt of Court, this Court restricts itself from imposing any punishment on the second respondent. However, in order to send a



W.P.(MD) No.21124 of 2024

strong message in this regard, the second respondent is directed to pay a sum of **Rs.15,000/-** (Rupees Fifteen Thousand only) to the Women Advocate Association Creche attached to the Madurai Bench of Madras High Court within a period of one week from today (i.e. 09.09.2024). If the amount is not paid within the stipulated time, the District Registrar is directed to deduct the said amount from the salary of the second respondent and send the same to the Creche.

5.In the result, this writ petition is allowed and the refusal check slip issued by the second respondent in Refusal Check Slip No. RFL/Kovilpatti/82/2024 is set aside. The second respondent is directed to register the judgment and decree passed by the learned Subordinate Court, Kovilpatti in O.S.No.5 of 1998, dated 07.11.2023 within a period of one week from the date of receipt of a copy of this order. No costs.

09.09.2024

Index : Yes / No
Internet : Yes / No
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Note:Issue order copy on 11.09.2024



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W.P.(MD) No.21124 of 2024

To

- 1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road,
Chennai-600 028.
- 2.The Sub Registrar,
O/o.the Sub Registrar,
Kovilpatti.
- 3.The District Registrar,
Kovilpatti.



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W.P.(MD) No.21124 of 2024

N.SATHISH KUMAR, J.

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W.P.(MD) No.21124 of 2024

09.09.2024