



W.P.(MD)No.21715 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.21715 of 2024

A.Ammaiyappan

... Petitioner

Vs.

The Sub Registrar,
Karur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent in check slip bearing No.RFL.Melakarur/69/2024 dated 16.08.2024 and quash the same as erroneous, unlawful, illegal, unjust and against the settled principles of law and consequently direct the respondent to register the judgment and decree in O.S.No.679 of 1993 dated 13.04.2017 on the file of the District Munsif Court, Karur.

For Petitioner : Mr.S.Ramesh
For Respondent : Mr.M.Siddharthan
Additional Government Pleader



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ORDER

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2. The learned counsel for the petitioner would submit that the interim order passed by this Court in W.M.P(MD).Nos.13382 and 13384 of 2020 in W.P(MD).No.15970 of 2022, cannot be applied mechanically for registering the said decree. The issue with regard to the possession between the petitioner and the person, who filed the writ petition in W.P(MD).No.15970 of 2022, has already been reached finality vide judgment and decree dated 13.04.2017 in O.S.No.679 of 1993. Hence, he contended that the refusal order of the respondent cannot be sustained.

3. Heard both sides and perused the order passed by this Court in W.M.P(MD).Nos.13382 and 13384 of 2020 in W.P(MD).No.15970 of



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2022 and it shows that the said writ petition has been filed by one Ponnusamy challenging the patta proceedings, which stands in the name of the petitioner, wherein he sought interim injunction not to alienate the property and this Court directed to maintain status-quo.

4. In view of the above, this Court is of the view that status-quo has been granted only not to alienate the property, but it cannot be construed as it is barred for registration of the said judgment and decree.

5. In such view of the matter, the impugned refusal check slip bearing No.RFL.Melakarur/69/2024, dated 16.08.2024, issued by the respondent is set aside and the respondent is directed to register the petition mentioned judgment and decree within a period of one week from the date of receipt of a copy of this order.

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

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Index : Yes / No
NCC : Yes / No
Rmk

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N.SATHISH KUMAR, J.

Rmk

To
The Sub Registrar,
Karur District.

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