



W.P(MD)No.23762 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23762 of 2023

K.Subramani

... Petitioner

Vs.

1.The District Registrar,
(Administration),
Karur District.

2.The Sub-Registrar,
Mela Karur,
Karur 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 impugned proceedings No.RFL/Melakarur/83/2023 dated 08.09.2023 quash the same as illegal and consequentially to direct the 2nd respondent to register the final decree made in I.A.No.376 of 2018 in O.S.No.29 of 1994 dated 12.01.2023 on the file of Principal Sub-Court, Karur within the time frame stipulated by this Court.

For Petitioner : Mr.V.P.Rajan

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



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ORDER

Heard both sides.

2.All that the petitioner wants is registration of the petition mentioned decree. The registration was refused by citing the fact that it was ex parte in nature. This issue has already been decided by this Court vide order dated 13.02.2024 in W.P.(MD)No.3185 of 2024. Merely because, a decree is an ex parte decree, it cannot be refused to be registered. The mutation has not been made in the revenue record also cannot be put against the petitioner.

3.In this view matter, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document. The petition mentioned decree shall be registered by the second respondent subject to fulfilment of other usual formalities. The writ petition is allowed. No costs.

02.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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WEB COPY

To:-

- 1.The District Registrar,
(Administration),
Karur District.
- 2.The Sub-Registrar,
Mela Karur,
Karur District.



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G.R.SWAMINATHAN, J.

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