



W.P(MD)No.26290 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26290 of 2023

Sankaranarayanan

... Petitioner

Vs.

1.The District Registrar,
Tirunelveli,
Tirunelveli District.

2.The Sub Registrar,
Nanguneri,
Tirunelveli District.

... Respondents

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 pertaining to the impugned order passed by the 1st respondent in No.6765/Aa1/2023 dated 08.09.2023, confirming the order of the 2nd respondent in Refusal Check Slip RFL/Nanguneri/48/2023 dated 25.08.2023 and quash the same as illegal and consequently direct the 2nd respondent to register the document in Doc. No.TP/158289924.

For Petitioner : Mr.M.Murugaraj

For Respondents : Mr.D.S.Neduncheziyan,
Government Advocate.



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ORDER

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Heard both sides.

2.All that the petitioner wants is registration of the petition mentioned partition decree. Any judgment and decree will have to be registered. The question of invoking Section 23 of the Registration Act does not arise at all. The registering authority need not bother himself about the nature of the decree. When a decree has been passed by the competent civil Court, it has been to be taken on file as such.

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

26.03.2024

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

- 1.The District Registrar,
Tirunelveli,
Tirunelveli District.
- 2.The Sub Registrar,
Nanguneri,
Tirunelveli District.



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G.R.SWAMINATHAN, J.

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