



Rev.Aplw.(MD) No.234 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.12.2024

Coram

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Review Application Writ (MD) No.234 of 2024

in

W.P.(MD) No.25304 of 2024

and

W.M.P.(MD) Nos.24459 & 24460 of 2024

The Sub-Registrar,
Srivaikundam Taluk,
Srivaikundam,
Thoothukudi District.

..... Applicant / Respondent

-Versus-

M.Subbiah

..... Respondent / Petitioner

Review application filed under Order XLVII, Rules 1 and 2 r/w Section 114 of CPC praying to review the order dated 24.10.024 made in W.P.(MD) No.25304 of 2024.

For Applicant : *Mr.Veera Kathiravan,*
Additional Advocate General
assisted by
Mr.S.P.Maharajan, Special
Government Pleader



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ORDER

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This review application has been filed seeking to review the order of this court dated 24.10.2024 made in W.P.(MD) No.25304 of 2024

2. Heard Mr.Veera Kathiravan, learned Additional Advocate General for the review applicant.

3. By order dated 24.10.2024 in W.P.(MD) No.25304 of 2024, this court directed the document in question to be registered after taking into account the established legal position regarding the registering authority's power to register a document produced for registration. The court reasoned that registration could not be denied merely on account of pendency of a suit or a protest petition because neither of these circumstances would prevent the registration of the legally executed document. As a result, this court finds no merit in the review application.

4. This court must, however, address the learnt Additional Advocate General's concern that the Sub Registrar may face charges against a complaint if the document requested for registration has been registered in accordance with the court's order.



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5. In the considered view of this court, such apprehension is baseless and ill-conceived. When the writ court orders the Sub Registrar to register a document, he must follow the directions of the writ court. The Sub Registrar will not be prosecuted for merely registering the document and it is made clear that registering it in accordance with the direction of the writ petition will not result in any offence.

6. In the light of the above discussion, this court does not find any merit in the review application and the same must fail.

In the result, the review application is dismissed, however, with the above observation. No costs. Consequently, connected WMPs are closed.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

18..12..2024

To

1.The Sub-Registrar, Srivaikundam Taluk, Srivaikundam,
Thoothukudi District.



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N.SATHISH KUMAR.J.,
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