



WEB COPY



WP.No.1055 of 2025

In the High Court of Judicature at Madras

Dated : 21.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.1055 of 2025

R.Rangaswamy

...Petitioner

Vs

The Sub Registrar
Office of the Sub Registrar
Thalavadi, Erode District.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to refusal check slip No.RFL/Thalavadi/28/2024 Sub-Registrar, Thalavadi, dated 29.11.2024, quash the same as illegal and consequently direct the respondent to register the judgment and decree made in O.S.No.348 of 1987 dated 26.4.1993 by the District Munsif Court, Sathyamangalam.

For Petitioner : Mr.V.Karthikeyan
For Respondent : Ms.C.Meera Arumugam, AGP

ORDER

Challenging the refusal check slip dated 29.11.2024 issued by



WP.No.1055 of 2025

the respondent refusing to register the judgment and decree dated 26.4.1993 in O.S.No.348 of 1987 on the file of the District Munsif Court, Sathyamangalam and to issue a consequential direction to the respondent to register the same, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for the respondent.

3. The respondent refused to register the said judgment and decree on the ground that it has not reached finality.

4. In the considered view of this Court, the refusal on the ground that the judgment has not reached finality cannot be countenanced as a decree, whether ex parte or contested, is a decree in the eye of law. Further, in the instant case, the judgment of the Trial Court is a contested one and had already attained finality.

5. Accordingly, the writ petition is allowed, the impugned order is set aside and the respondent is directed to register the judgment and decree presented by the petitioner within a period of two weeks from the date of its representation. No costs.



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To
The Sub Registrar
Office of the Sub Registrar
Thalavadi, Erode District.



WP.No.1055 of 2025

P.T.ASHA,J

RS

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