



W.A.No.1252 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2025

WEB COPY

CORAM :

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH
and
THE HONOURABLE MR.JUSTICE C. KUMARAPPAN**

Writ Appeal No.1252 of 2025

Dhandapani

.. Appellant

VS

The Sub-Registrar,
Nellikuppam,
Panruti Taluk,
Cuddalore District.

.. Respondent

Prayer : APPEAL filed under Clause 15 of the Letters Patent against the order dated 09.07.2024 in W.P.No.16 of 2024 on the file of this Court.

For Appellant : Mr.D.Baskar

For Respondent : Mr.K.Karthik Jagannath
Government Advocate

JUDGMENT

(Delivered by Dr.ANITA SUMANTH..J)

The writ petitioner is the appellant. WP.No.16 of 2024 had been filed by the appellant seeking a mandamus directing the respondent to register the decree dated 06.10.2021 passed in S.A.No.2046 of 2004.



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2.Mr.K.Karthik Jagannath, learned Government Advocate, who

appears for the State confirms the position that there was only an oral refusal to register and no written order has been passed. Though the prayer of the appellant appears innocuous, the representation dated 27.03.2023 clarifies the actual grievance of the appellant.

3.A perusal of the judgment and decree dated 06.10.2021 reveals that it was the contention of the appellant therein (i.e. the appellant before us) that the matter has been settled out of Court inter se the parties and he had filed a memo dated 07.09.2021 which is recorded in order dated 06.10.2021. However, the submission relating to out of Court settlement is unilateral, the contents of the memo are unknown and the terms of settlement or the settlement deed itself has not been made part of the record or part and parcel of order dated 06.10.2021. It is in these circumstances that an order has come to be passed on 21.07.2023, rejecting the request. That order has not been challenged and the prayer in the writ petition is for a mandamus simplicitor.

4. Learned counsel for the appellant would pursue the same plea as put forth in representation dated 27.03.2023. When such terms of compromise are not part of record and have not been referred to in the judgment, we are of the considered view that there is nothing erroneous



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in the rejection of the request by the registering authorities. In any event, since the prayer is for a mandamus directing the respondent to register decree dated 06.10.2021, we make it clear that nothing stands in the way of registration of decree as it stands, in accordance with law.

5.This Writ Appeal is disposed. No costs.

[A.S.M., J] [C.K., J]
17.04.2025

vs
Index:No
Speaking order
Neutral Citation:Yes

To

The Sub-Registrar,
Nellikuppam, Panruti Taluk,
Cuddalore District.



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DR. ANITA SUMANTH,J.
and
C. KUMARAPPAN.,J

VS

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