



WP No. 22213 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-10-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 22213 of 2025

Sivaraj

S/o.Sevanthan,

Door No.64 Bajanai Madam Street,

Sendarapatti, Gangavalli Taluk,

Salem-636 110.

Petitioner(s)

Vs

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakkam, Raja Annamalaipuram,
Chennai-600 028.

2.The District Registrar,
Salem.

3.The Sub Registrar,
Office Of The Sub Registrar, Vazhapadi.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India,
praying for an issuance of Writ of Certiorarified Mandamus, calling for the



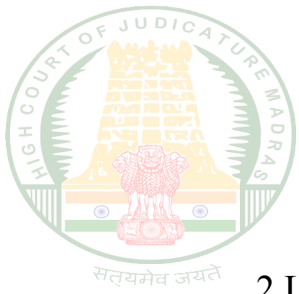
records on the file of the 3rd respondent pertaining to the refusal check slip No.RFL/ VAZHAPADI/ 45/ 2025 dated 19.05.2025 and quash the same and consequently direct the 3rd respondent to register the Judgment and Decree dated 24.01.2025 passed in I.A. No.356 of 2016 in O.S. No.83 of 2011 on the file of the learned I Additional Sub Court, Salem presented for registration by the petitioner vide the Temporary No.in TP/ 219470978/ 2025 dated 19.05.2025.

For Petitioner(s): Mr.T.Sai Krishnan

For Respondent: Mr.Abishek Murthy
Government Advocate

ORDER

This writ petition has been filed by the petitioner seeking to call for the records on the file of the 3rd respondent pertaining to the refusal check slip No.RFL/ VAZHAPADI/ 45/ 2025 dated 19.05.2025 and quash the same and consequently direct the 3rd respondent to register the Judgment and Decree dated 24.01.2025 passed in I.A. No.356 of 2016 in O.S. No.83 of 2011 on the file of the learned I Additional Sub Court, Salem presented for registration by the petitioner vide the Temporary No.in TP/ 219470978/ 2025 dated 19.05.2025.



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2.Learned counsel for the petitioner would submit that on 13.05.2025, the petitioner presented the certified copy of the judgment and decree dated 24.01.2025 in I.A.No.356 of 2016 in O.S.No.83 of 2011 before the 3rd respondent for registration. However, the 3rd respondent refused to register the said judgment and decree vide refusal check slip dated 19.05.2025 stating that several transaction were done on the subject property before the passing of judgment and decree and the decree does not contain any declaration as regards the third parties sale deed. He would further submit that the petitioner intend only to register the judgment and decree dated 24.01.2025 and the 3rd respondent need not look into the purchase of property by the third parties which is also a subject matter of the decree. Hence, he prayed to set aside the refusal check slip dated 19.05.2025 and direct the 3rd respondent to register the judgment and decree dated 24.01.2025 presented by the petitioner.

3.Learned Government Advocate appearing for the respondents would submit that since several transactions occurred on the subject property, the 3rd



respondent refused to register the same and he would further submit that the order whichever passed by this Court will be complied with.

4. Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents.

5. Considering the submissions made by the learned counsel for the petitioner and the learned Government Advocate appearing for the 3rd respondent, this Court finds force in the submissions made by the learned counsel for the petitioner that when the petitioner presented the final decree for registration, the 3rd respondent ought not to have refused to register the order of the Court. Though several transactions were done on the subject property before the passing of judgment and decree, the petitioner has now ultimately obtained a decree from the Court and by virtue of the same the petitioner is not going to alienate the property and at any cost, he is entitled to register the same as per section 18 (cc) of Registration Act, 1908, which is extracted hereunder for better appreciation:-



“

18 (cc) instruments transferring or assigning any decree or order of a Court or any award when such decree or order or award purports or operates to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of a value less than one hundred rupees, to or in immovable property.”

6.A reading of the above provision would show that the 3rd respondent supposed to have registered the judgment and decree instead he is sticking on the earlier transactions pertaining to the subject property. If the right of any other parties are affected by the judgment and decree presented by the petitioner, it is for the affected parties to agitate the same before Civil Court and now the petitioner's right of registering the judgment and decree cannot be denied.

7.In view of the above, this Court is inclined to set aside the impugned refusal check slip dated 19.05.2025 and accordingly, the same is set aside. The 3rd respondent is directed to register the judgment and decree dated 24.01.2025



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made in I.A.No.356 of 2016 in O.S.No.83 of 2011 on the file of the learned I

Additional Sub Court, Salem, immediately upon the re-presentation of the same

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by the petitioner.

8. With the above direction, this writ petition is disposed of. No costs.

07-10-2025

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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1. The Inspector General of Registration,
No.100, Santhome High Road, Pattinampakkam,
Raja Annamalaipuram, Chennai-600 028.

2. The District Registrar,
Salem.

3. The Sub Registrar,
Office Of The Sub Registrar, Vazhapadi.



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KRISHNAN RAMASAMY J.

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