



W.P.No. 27869 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No. 27869 of 2025

Prakash

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.

2.The Joint Sub-Registrar No.1,
Tiruppur – 641 666.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned Refusal Check Slip on the file of the 2nd respondent bearing Refusal Number:RFL/Joint Sub Registrar No.1 Tiruppur/38/2025 dated 05.07.2025 and to quash the same and consequently direct the 2nd respondent to receive, entertain, register the Preliminary Decree dated 07.01.2025 in O.S.No.120 of 2011 passed by the Court of Principal Sub-ordinate Judge, Tiruppur and return the same forthwith to the petitioner within a stipulated time frame after



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considering the representation of the petitioner dated 08.07.2025 in accordance with law and on merits.

For Petitioner : Mr.S.Ranjith Kumaran

For Respondent : Mr.Abishek Murthy
Government Advocate

ORDER

Challenge was made against the refusal check slip issued by the 2nd respondent dated 05.07.2025, refusing to register the preliminary decree presented by the petitioner on the ground that the final decree has has not been passed.

2. The learned counsel appearing for the petitioner would submit that the preliminary decree was passed on 07.01.2025 in O.S.No.120 of 2011 and, when it is presented on 05.07.2025 for registration, the same was rejected by virtue of the impugned check slip dated 05.07.2025 stating that it is only a preliminary decree and it is not a final decree. Hence, the present writ petition is filed.



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3. The learned Government Advocate appearing for the respondents would submit that since it is a preliminary decree, the respondent passed the impugned order refusing to register the same. He would further submit that if any order is passed by this Court, the respondent will be consider the same accordingly.

4. Considering the submissions made by the learned counsel appearing for the petitioner and the respondents, this Court is of the view that the preliminary decree is also a judgment decree and if it presented for registration, the respondent is duty bound to register the same. Even in cases where the interim order is passed and those orders are presented for registration, they cannot say that after passing of final order only it can be registered.

5. The preliminary decree is a decree which would determine the rights of the parties. Certainly, the parties rights are decided finally by virtue of a preliminary decree but, only the entitlement portion alone



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required to be decided in the form of final decree therefore, the preliminary decree is a decree determining the rights of the parties has to be necessarily registered when it is presented for registration. Therefore, impugned refusal check slip issued by the 2nd respondent dated 05.07.2025 is liable to be set aside the same is accordingly, set aside with a direction to the respondents to register the preliminary decree presented by the petitioner immediately upon re-presentation.

6. This Writ Petition is disposed of with the above terms. No costs.

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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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KRISHNAN RAMASAMY, J.
KKN

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