



WP No.38288 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 02.01.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP No.38288 of 2024

Radhakrishnan

... Petitioner

Vs.

1. The District Registrar,
Kallakurichi

2. The Sub Registrar,
Sankarapuram,
Kallakurichi

... Respondents

Prayer: This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records of the 2nd respondent in Proceedings No.RFL/Sankarapuram /39/23 dated 2/8/23 quash the same and consequently direct the 2nd respondent to register the exparte decree passed in O.S.No.47/2019 dated 06.04.2023 with respect to the property bearing S.No.82/1E, S.No.145/3D, S.No.145/3E, S.No.145/3J in Vadachettiyananthai Village, Sankarapuram.



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For Petitioner : Mr.S.N.Subramani
For Respondent : M/s.C.Meera Arumugam
Additional Government Pleader
for R1 and R2

ORDER

Challenging the order passed by the 2nd respondent refusing to register the decree passed in OS No.47 of 2019 dated 06.04.2023 of the Principal Sub Court, Kallakurichi, the petitioner is before this Court seeking to issue a writ of Certiorarified mandamus to quash the said order and direct the 2nd respondent to register the said decree.

2. Heard Mr.S.N.Subramani, learned counsel for the petitioner and M/s.C.Meera Arumugam, learned Additional Government Pleader for respondents 1 and 2.

3. The refusal to register the said decree was on the ground that it is an ex-parte decree. The decree whether ex-parte or otherwise or as the same force and it does not lie within the authority of the 2nd respondent to refuse to register the same. Till such time as the decree has not been set-



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aside, it is a valid one. Therefore, this writ petition is allowed and the impugned order is set-aside. The 2nd respondent is directed to register the decree within a period of two weeks from the date of receipt of the representation from the petitioner.

4. This Writ petition is allowed accordingly. No costs.

02.01.2025

rka

Index :Yes/No

Internet:Yes

Speaking Order/Non-speaking Order

To

1. The District Registrar,
Kallakurichi

2. The Sub Registrar,
Sankarapuram,
Kallakurichi



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