



WEB COPY

WP No. 36318 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-09-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 36318 of 2025

N.Myilsamy,
S/o.Nachimuthu Gounder,
2/233 Ayyan Thottam, Kattur Post,
Pongalur Via, Palladam Taluk,
Tiruppur District-641 667.

Petitioner(s)

Vs

The Sub Registrar,
Office Of The Sub Registrar, Palladam,
Tiruppur District.

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 entire records pertaining to the impugned Refusal check slip dated 22.7.2025 in Refsual Number RFL/Palladam/33/2025 issued by the respondent and quash the same as illegal and consequently direct the respondent to register the certified copies of Final Decree and order dated 25.9.2024 respectively in I.A.No.588 of



2018 in O.S.No.199 of 2013 on the file of the learned First Additional District and Sessions Court, Tiruppur along with its enclosures.

WEB COPY

For Petitioner(s): Mr.N.S.Suganthan

For Respondent: Mr.P.Harish
Government Advocate

ORDER

This writ petition has been filed by the petitioner seeking to call for the entire records pertaining to the impugned Refusal Check Slip dated 22.07.2025 in Refusal Number RFL/Palladam/33/2025 issued by the respondent and quash the same as illegal and consequently direct the respondent to register the certified copies of Final Decree and order dated 25.9.2024 respectively in I.A.No.588 of 2018 in O.S.No.199 of 2013 on the file of the learned First Additional District and Sessions Court, Tiruppur along with its enclosures.

2.Mr.P.Harish, learned Government Advocate, takes notice on behalf of the respondent. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.



WEB COPY

3. Learned counsel for the petitioner would submit that the petitioner made an application before the respondent on 30.06.2025 for registration of final decree dated 25.09.2024 in Temporary No.TP/224719060/2025. However, the respondent refused to register the same and returned the said final decree through the impugned refusal check slip dated 22.07.2025 in refusal number RFL/Palladam/33/2025 for the reason that Survey No.601/1 in Kattur Village, Palladam Taluk, Tiruppur District was stated as Temple Land in the Temple Lands Register maintained in their office.

4. He would further submit that the petitioner under the Right to Information Act, made an application before the District Surveyor, Tiruppur, requesting to provide the certified copy of Re-survey and Re-settlement register of the village of Kattur, Palladam Taluk, Tiruppur District pertaining to Survey No.601/1. The said certified copies of Re-survey and Re-settlement register received by the petitioner does not disclose the Survey No.601/1 as Temple land. However, only the Survey No.601/2 is stated as Temple land. Without verifying the same, the respondent had issued the impugned check slip dated



22.07.2025. Hence, the present writ petitioner has been filed to set aside the impugned refusal check slip.

WEB COPY

5.Learned Government Advocate appearing for the respondent would submit that since the subject land is stated as Temple land in the registered maintained in their Office, the respondent refused to register the decree presented by the petitioner and he would fairly submit that the decree has to be registered as per Section 18 (cc) of the Registration Act, 1908 and the order whichever passed by this Court will be complied with.

6.Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondent.

7.Considering the submissions made by the learned counsel for the petitioner and the learned Government Advocate appearing for the 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



respondent ought not to have refused to register the order of the Court. Even the subject land has been shown as Temple land, 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.”

8.A reading of the above provision would show that the respondent supposed to have registered the judgment and decree instead he is sticking with the earlier records maintained by them. If the right of third 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.

WEB COPY

9.In view of the above, this Court is inclined to set aside the impugned refusal check slip dated 22.07.2025 and accordingly, the same is set aside. The respondent is directed to register the judgment and decree dated 25.09.2024 made in I.A.No.588 of 2018 in O.S.No.199 of 2013 on the file of the learned First Additional District and Sessions Court, Tiruppur, immediately upon the re-presentation of the same by the petitioner.

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

25-09-2025

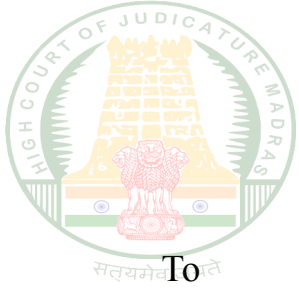
rst

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



WP No. 36318 of 2025



WEB COPY

To
The Sub Registrar
Office Of The Sub Registrar, Palladam,
Tiruppur District.



WEB COPY

WP No. 36318 of 2025



KRISHNAN RAMASAMY J.

rst

WP No. 36318 of 2025

25-09-2025