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WP No.45164 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-11-2025

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 45164 of 2025

K.Raman,
S/o.Kaluvarayan,
Pilrampattur Village And Post,
Ulundurpet Taluk, Villupuram District.

Petitioner(s)

Vs

The Sub Registrar,
Ulundurpet, Villupuram 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 records in the Refusal check Slip No.RFL/ ULUNDURPET/ 85/ 2025, dated 03.11.2025, on the file of the respondent and quash the same as illegal, incompetent and without jurisdiction in view of the Judgement of the Honble Supreme Court in K.Gopi Vs Sub- Registrar reported in 2025 SCC Online SC 740 and further direct the respondent to register the court decree and judgment presented by the petitioner for registration in S.A.No.739/ 2017,



dated 20.02.2025 within a stipulated time period fixed by this Court.

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For Petitioner(s): Mr.M.Muruganantham

For Respondent: Mr.Abishek Murthy
Government Advocate

ORDER

This writ petition has been filed by the petitioner challenging the Refusal check Slip No.RFL/ ULUNDURPET/ 85/ 2025, dated 03.11.2025, issued by the respondent.

2.Mr.Abishek Murthy, learned Government Advocate takes notice on behalf of the respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3.Learned counsel for the petitioner would submit that a suit in O.S.No.316 of 2019 was filed by on Kathirvel in respect of the property comprised in S.F.No.159, Pachapalayam Village, Ulunthurpet Taluk, Vilupuram



District claiming declaration against the petitioner and one another viz., Sooran.

The said suit was dismissed by the Principal District Munsif, Ulunthurpet on 18.02.2014. Against which, an appeal in A.S.No.56 of 2014 was filed on the file of the learned I Additional Subordinate Court, Vilupuram, which was got dismissed on 31.08.2016. Aggrieved over the same, the second appeal in S.A.No.739 of 2017 was filed before this Court, which was also dismissed vide judgment and decree dated 20.02.2025. Such being the case, the petitioner intended to register the judgment and decree dated 20.02.2025 and presented the same before the respondent on 03.11.2025. However, the respondent refused to register the said judgment and decree and issued the refusal check slip dated 03.11.2025 on the ground that the patta of the subject property stands in the name of Kathirvel.

4.He would further submit that though the patta stands in the name of one Kathirvel, the petitioner has a decree in his favour and the petitioner is not going to alienate the subject property and he intends only to register the judgment and decree for which he is entitled. Hence, the present writ petition



has been filed.

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5.Learned Government Advocate appearing for the respondent would fairly submit that appropriate orders may be passed directing the respondent to register the judgment and decree presented by the petitioner.

6.Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondent and perused the materials available on record.

7.Considering the submissions made by either parties, this Court finds force in the submissions made by the learned counsel for the petitioner that when the petitioner presented the judgment and decree for registration, the respondent ought not to have refused to register the same. Even the patta stands in the name of one Kathirvel, the petitioner has now ultimately obtained a decree in his favour from the Court against the said Kathirvel 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 on the earlier records 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.

9.In view of the above, this Court is inclined to set aside the impugned refusal check slip dated 03.11.2025 and accordingly, the same is set aside. The



respondent is directed to register the judgment and decree dated 20.02.2025

made in S.A.No.739 of 2017, forthwith upon the re-presentation of the same by

the petitioner.

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

21-11-2025

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Sub Registrar,
Ulundurpet, Villupuram District.



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KRISHNAN RAMASAMY J.

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