



WEB COPY



W.P.No.648 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.648 of 2019
and W.M.P.No.702 of 2019

A.Sundararaju

...Petitioner

-Vs-

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

2. District Registrar,
Door No.182, Bharathi Salai,
Pycrafts Road,
Royapettai,
Chennai – 600 014.

3. The Sub Registrar,
Kodambakkam,
Vadapalani,
Chennai – 600 026.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Ceriorarified Mandamus, calling for the records relating to the impugned letter of the 3rd respondent herein in reference Na.Ka.No.440/18 dated 12.11.2018, quash the same and consequently, direct the respondents 1 to 3 to consider the petitioner representation dated 02.11.2018.

For Petitioner : Mr.K.B.Arul



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For Respondents : Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been preferred as against the order passed by the third respondent dated 12.11.2018, thereby refused to register the Court decree for the reason time barred by limitation.

2. The petitioner owned property ad measuring 1768 sq.ft., with building situated at old No.17, 30/1, New No.27, South Gangaianman Koil 1st Street, Choolaimedu, Chennai. It was derived by the petitioner by virtue of the settlement deed executed by his mother dated 04.10.1982 registered vide document No.4188 of 1982 and also by way of another settlement deed dated 16.05.1991 registered vide document No.1945 of 1991. Thereafter, the settlement deed was cancelled and it was challenged in O.S.No.7867 of 1991. His mother was also filed a suit in O.S.No.3670 of 1992. Both the suits were concluded in favour of the petitioner by the judgments dated 03.12.1999. The said judgments were presented for registration on 02.11.2018 along with representation. However, it was rejected for the reason that the Court decree is not an instrument and it has to be presented within a period of



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120 days from the date of the receipt of a copy of the said Court decree.

Hence, the petitioner filed the present writ petition.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. Now the issue has been settled by this Court in **W.P.No.33616 of 2022** etc., batch in the case of **Sathiyamoorthy Vs. The Sub Registrar** by an order dated **27.02.2023**. Therefore, even after the period of four months or limitation, the Court decree/judgment/order which was presented for registration should be accepted and registered by the registering authority. Therefore, the impugned order cannot be sustained and is liable to be set aside.

5. In view of the above discussions, impugned letter of the third respondent herein in reference Na.Ka.No.440/18 dated 12.11.2018, is hereby set aside. The petitioner is at liberty to present the judgments and decrees dated 03.12.1999 passed in O.S.Nos.7867 of 1991 & 3670 of 1992 for registration. On receipt of the same, the third respondent is directed to register the same in accordance with law.



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Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

01.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts



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