



W.P.(MD)No.4963 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.02.2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.4963 of 2025

V.Balamurali

... Petitioner

VS.

1.The Inspector General of Registration,
Registration Department,
Santhom High Road,
Chennai 600 004.

2.The District Registrar,
Sivagangai, Sivagangai District.

3.The Sub Registrar,
Sub Registrar Office,
Thiruppuvanam, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in No.09-01/2025 dated 19.02.2025 passed by the third respondent and quash the same as illegal and consequently direct the third respondent to register the judgment and decree passed in O.S.No.430 of 1969 dated 20.07.1972 passed by the learned District Munsif Court, Manamadurai, Sivagangai District.



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For Petitioner : Mr.K.Muthamilventhan
For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

The petitioner seeks a Writ of Certiorarified Mandamus to quash the proceedings of the third respondent in No.09-01/2025, dated 19.02.2025 and consequently, to direct the third respondent to register the judgment and decree made in O.S.No.430/1969, dated 20.07.1972, on the file of the District Munsif Court, Manamadurai, Ramanathapuram District (presently Sivagangai District).

2. It is the case of the petitioner that his grandfather, one Muthuirula Thevar, S/o Ramasamy Thevar was the owner of several extents of property. Muthuirula Thevar was one of the defendants in O.S.No.430 of 1969. The suit had been initiated by one Petchi Ammal and six others against Othamadaï and eight others. The said suit was decreed in terms of compromise on 20.07.1972.



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3. The petitioner pleads neither his grandfather nor other parties to the suit registered the judgment and decree. Having found the necessity to register the same, he moved the third respondent for the said purpose. By the impugned order, the third respondent refused to register the document stating that considerable period of time had lapsed from the date of passing of judgment and decree on 20.07.1972 to till date. Hence, the present writ petition.

4. I heard Mr.K.Muthamilventhan for the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate, who takes notice for the respondents.

5. It has been settled by this Court in several verdicts that the delay does not arise for registration of judgment and decree of a civil Court. The impugned order is contrary to the said verdicts and hence, it has to be set aside and accordingly, it is set aside.



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6. The third respondent is directed to register the judgment and decree made in O.S.No.430 of 1969, dated 20.07.1972, on the file of the learned District Munsif, Manamadurai, within a period of two(2) weeks from today (i.e., 25.02.2025).

6. With the above direction, this Writ Petition is disposed of. No costs.

7. Post the matter 'for reporting compliance' on 12.03.2025.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Rmk

25.02.2025

To

1.The Inspector General of Registration,
Registration Department,
Santhom High Road,
Chennai 600 004.

2.The District Registrar,
Sivagangai, Sivagangai District.

3.The Sub Registrar,
Sub Registrar Office,
Thiruppuvanam, Sivagangai District.

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V. LAKSHMINARAYANAN, J.

Rmk

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