



W.P.(MD) No.6167 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.6167 of 2025

V.K.S.A.Akbar Ali

... Petitioner

-vs-

The Sub Registrar
K.Sathanoor Sub Registrar's Office
K.Sathanoor, Palani Nagar
K.K.Nagar, Trichy-21

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent herein to register the order made in W.P.(MD) No.4607 of 2019, on the file of this Court, dated 26.09.2023, in the light of the petitioner's representation dated 05.02.2025, within a stipulated period as fixed by this Court.

For Petitioner : Mr.R.Sundar

For Respondent : Mr.N.Ramesh Arumugam
Government Advocate



W.P.(MD) No.6167 of 2025

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ORDER

Heard Mr.R.Sundar, learned counsel for the petitioner and Mr.P.T.Thiraviyam, learned Government Advocate, representing Mr.N.Ramesh Arumugam, learned Government Advocate appearing for the respondent.

2. The petitioner claims that the property situated in Old Survey No.55 and New Survey No.154 of Panjappur Village, Srirangam Taluk, Trichirappalli District, belongs to his family. Disputes arose as regards whether the property is “Sarkkar Poramboke” or it belongs to the writ petitioner's family. After several rounds of litigation, the matter was settled by this Court, by an order 26.09.2023, passed in W.P.(MD) No.4607 of 2019.

3. In order to protect his right over the property, the petitioner wanted to register the order copy of this Court with the respondent / Sub Register. But, his attempts upload the same resulted in futility. Hence, he made a representation on 05.02.2025 and has come forward with the present writ petition.



W.P.(MD) No.6167 of 2025

WEB COPY

4. Mr.P.T.Thiraviyam, learned Government Advocate, states that Mr.N.Ramesh Arumugam, learned Government Advocate has got instructions in this matter from the respondent / Sub Registrar. He states that the instructions are that only Judgments and Decrees of the Civil Court can be registered by the Sub Registrar and not the orders passed by the High Court.

5. I have carefully considered the submissions of both sides.

6. Under Section 18(f) of the Registration Act, 1908, all documents not required to be registered under Section 17 of the said enactment can be registered at the option of the party. An order of the Writ Court, even if it is not to be treated as a Decree of the Civil Court, would still fall under Section 18(f) of the Registration Act, 1908. Therefore, the submission of Mr.P.T.Thiraviyam, learned Government Advocate, that only Judgments and Decrees of the Civil Court alone can be registered is unfounded.

7. In the light of the above discussions, this writ petition succeeds. There will be a direction to the respondent to register the order, dated 26.09.2023, passed by this Court in W.P.(MD) No.4607 of 2019.



W.P.(MD) No.6167 of 2025

WEB COPY

8. At this juncture, learned counsel for the petitioner states that the petitioner will present the document for registration before the respondent / Sub Register by 12.03.2025.

9. The respondent / Sub Registrar shall register the document by 26.03.2025.

10. Accordingly, this writ petition is allowed. No costs.

11. Post the matter on 28.03.2025 for reporting compliance.

07.03.2025

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

krk

To:
The Sub Registrar,
K.Sathanoor Sub Registrar's Office,
K.Sathanoor, Palani Nagar,
K.K.Nagar, Trichy-21.



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W.P.(MD) No.6167 of 2025

V.LAKSHMINARAYANAN, J.

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W.P.(MD) No.6167 of 2025

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