



W.P(MD)No.30144 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30144 of 2025

M.Muthiah

... Petitioner

Vs.

The Sub Registrar,
Thirumangalam,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to register the Court Decree dated 11.07.2017 made in O.S.No.295 of 2011 on the file of the learned Principal District Munsif, Thirumangalam passed in favour of the petitioner, and to carryout all consequential entries in accordance with law.

For Petitioner : Mr.SC.Herold Singh

For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader



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ORDER

Heard both sides.

2.O.S.No.295 of 2011 on the file of District Munsif Court, Thirumangalam was decreed ex parte. The petitioner herein was the second plaintiff. It is a suit for declaration and permanent injunction. The petitioner presented the certified copy of the said decree for registration. The respondent had declined to do so. Two reasons were assigned:

- a) the presentation of the decree was after the lapse of four months, and
- b) decree was an ex parte one and not a contested decree.

Both the reasons are unsustainable. It has been repeatedly held that the time limit stipulated under Section 23 of the Registration Act, 1908 will not apply to the Court's decrees. Secondly, even an ex parte decree is also a decree and registration of the certified copy of the same cannot be refused.



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3.The learned counsel for the petitioner draws my attention to the order dated 16.05.2024 made in ***W.P(MD)No.28113 of 2023 (Rajadurai Vs The Inspector General of Registration & Others)***. The facts of the present case are substantially similar to those considered in the said decision, and the same would apply herein as well.

4.In this view of the matter, the respondent is directed to register the petition mentioned decree.

5.This Writ Petition is allowed accordingly. No costs.

25.10.2025

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

To

The Sub Registrar,
Thirumangalam,
Madurai.

Copy to

The Principal District Munsif,
Thirumangalam.

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G.R.SWAMINATHAN, J.

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