

(1897) 09 MAD CK 0006
In the Madras High Court

Vairananda Nadar

APPELLANT

Vs

Miyakan Rowter

RESPONDENT

Date of Decision : 03-09-1897

Acts Referred:

Transfer of Property Act, 1882 — Section 107

Citation : (1898) ILR (Mad) 109

Hon'ble Judges : Subramania Ayyar, J; Davies, J

Bench : Division Bench

Judgement

1. Section 107 of the Transfer of Property Act is declared to be read as supplemental to the Registration Act, It is therefore to be read with

Section 17 (d) of the Registration Act. The proviso to that clause must, therefore, be restricted to cases not falling u/s 107 of the Transfer of

Property Act, which absolutely requires the registration of the leases referred to therein. Our answer to the question therefore is that leases falling

u/s 107 of the Transfer of Property Act, are compulsorily registrable not withstanding the Government notification issued under the proviso to

Clause (d), Section 17 of the Registration Act.