



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.20509 of 2021

R.Thilagavathi

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar Registration District,
Virudhunagar.

2.The Sub-Registrar,
Kunnur Sub-Registrar Office,
Virudhunagar Registration District.

3.Kalimuthu

4.Jayakumar

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to receive, register a sale deed dated 01.11.2021 and release the same without insisting upon the Original Parent document.

For Petitioner : Mr.M.Jothi Basu

For Respondent : Mr.S.Shanmugavel

Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner had presented a sale deed which is dated 01.11.2021 for registration before the second respondent / Sub Registrar, Kunnur Sub Registrar Office, Virudhunagar. The said Sub Registrar, according to the learned counsel for the petitioner, had returned back the said documents refusing to register the same, in view of a representation given by the fourth respondent. The fourth respondent claims that he would be seriously prejudiced, if that particular sale deed is registered.

3.In view of the said objections raised by the fourth respondent, the second respondent appears to have returned back the document presented for registration. An obligation is placed on the second respondent to give a refusal check slip giving the reason as to why he is not registering the said document, which has been lawfully presented with necessary stamp duty papers.



4.A direction is given to the second respondent to therefore, give necessary reasons for refusal to register the document and thereafter, the petitioner may take up further proceedings in the manner known to law.

5.In view of the fact that the Sub Registrar has already examined the objections given by the fourth respondent, notice to the respondents 3 and 4 are dispensed with in the present writ petition.

6.The Sub Registrar may therefore, issue necessary refusal check slip giving reasons for not registering the document. The petitioner may present the document once again on or before 30.11.2021. The second respondent may give a refusal check slip as orally stated by him on or before 10.12.2021.

7.With the above observation, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To

1.The District Registrar,
Virudhunagar Registration District,
Virudhunagar.

2.The Sub-Registrar,
Kunnur Sub-Registrar Office,
Virudhunagar Registration District.

+1 CC to M/s.M.JOTHI BASU, Advocate (SR-34918[F] dated 18/11/2021)

+1 CC to M/s.SPL GP (SR-34937[F] dated 18/11/2021)

W.P(MD)No.20509 of 2021

17.11.2021

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