



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.5063 of 2022

WEB COPY

1.Shersha
2.Mohammed Umar Farook
3.Mohammed Arif Hussain ... Petitioners

vs.

The Sub Registrar,
(Document Registration Department),
Sattur Sub Registrar Office,
Virudhunagar District. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned refusal check slip in Refusal No. RFL/Sathur/2/2022 dated 01.03.2022 passed by the respondent and to quash the same and consequently, to direct the respondent to register the sale deed presented by the petitioner dated 01.03.2022.

For Petitioners :Mr.S.Vishnuvardhan
For Respondent :Mr.S.Shanmugavel
Additional Government Pleader

O R D E R

This Writ Petition has been filed challenging the impugned refusal check slip issued by the respondent on 01.03.2022 rejecting the sale deed presented by the petitioners for registration on the ground that the subject property is a Waqf property.

2.The petitioners have challenged the impugned order on the ground of violation of principles of natural justice and also on the ground that by total non application of mind to the documents produced by the petitioners, the impugned order has been passed. According to the petitioners, they are the absolute owners of the subject property and patta also stands in their names. However, it is their case that by total non application of mind, the impugned order has been passed without affording a fair hearing to the petitioners.

3.Heard Mr.S.Vishnuvardhan, learned Counsel for the petitioners and Mr.S.Shanmugavel, learned Additional Government Pleader, who takes notice for the respondent.

4.As seen from the impugned order, except for stating that the subject property belongs to a Waqf, no opportunity of hearing was granted to the petitioners. The petitioners have produced documents

