



W.P.No.2188 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.04.2023

CORAM

THE HONOURABLE Mr. JUSTICE M.S.RAMESH

W.P.No.2188 of 2023

AND

W.M.P.No.2261 of 2023

M.Beeman

.. Petitioner

Vs.

The Sub Registrar
Pochampalli
Krishnagiri District

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Certiorarified Mandamus, calling for the records pertaining to the refusal check slip in refusal No.RFL/Pochampalli/23/2022 dated 23.12.2022 and to quash the same as illegal, incompetent and *ultra vires* and consequently direct the respondent to register the settlement deed dated 23.12.2022.

For Petitioner : Mr.T.Venkatesan

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader



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ORDER

This petition is filed to quash the impugned order of Refusal Check Slip in refusal No.RFL/Pochampalli/23/2022 dated 23.12.2022 and for a direction to the respondent to register the Settlement Deed dated 23.12.2022.

2. Heard Mr.T.Venkatesan, learned counsel for the petitioner as well as Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondent and perused the materials available on record.

3. Section 22-B(3) of the Registration Act, 1908, empowers the Sub Registrar to refuse registration, on the ground that there is an attachment by a Court of law over the subject property. The present impugned Check Slip also states that an attachment order has been passed by a Civil Court in I.A.No.12 of 2022 and therefore, refused registration. The reason assigned is in confirmation with Section 22-B(3) of the Act and hence, there is no infirmity in the reason. The petitioner always be at liberty to have the attachment order lifted, by taking appropriate proceedings.

With the above observation, the Writ Petition is dismissed.



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No costs. Connected Miscellaneous Petition is closed.

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20.04.2023

Index : Yes/No
Neutral Citation : Yes/No
gya

To
The Sub Registrar
Pochampalli
Krishnagiri District

M.S.RAMESH, J.



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