



WEB COPY



W.P.No.9308 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9308 of 2023

A.Rajendiran

...Petitioner

-Vs-

1.Inspector General of Registration,
Santhome, Chennai.

2.Sub-Registrar,
Panruti, Sub-Registrar,
Cuddalore District,
Panruti.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent relating to the Refusal Check Slip dated 21.02.2023 vide Refusal Number.RFL/Panruti/7/2023 and quash the same as illegal and void and consequently direct the 2nd respondent to register the Settlement Deed presented by the petitioner dated 21.02.2023.

For Petitioner : Mr.T.S.Baskaran

For Respondents : Mr.G.Krishna Rajan
Additional Government Pleader



W.P.No.9308 of 2023

ORDER

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2.The petitioner states that he is the absolute owner of the property morefully described in the present writ petition. The petitioner presented settlement deed for registration and the second respondent/Sub-Registrar returned the document on the ground that the petitioner entered into a sale agreement on 23.11.2009 with one Mr.Ravichandran, therefore, the settlement deed cannot be registered.

3.The sale agreement between the petitioner and the said Ravichandran of the year 2009 cannot be an impediment for the purpose of registering the settlement deed. The petitioner has executed another sale agreement on 28.03.2013. Such sale agreements with other parties cannot be a bar for settling the property in favour of his wife by the petitioner. If at all the agreement holders are aggrieved, they have to approach the competent Civil Court of law for the purpose of seeking the relief of



W.P.No.9308 of 2023

specific performance or for return of advance or otherwise. However, the sale agreement registered is no way connected with the settlement deed now presented by the petitioner and the Sub-Registrar is not empowered to adjudicate such disputes between the parties beyond the scope of the provisions of the Registration Act. These reasons stated in the impugned refusal check slip is not candid and thus, to be set aside.

4. Accordingly, the refusal check slip No.RFL/Panruti/7/2023 is quashed and the second respondent is directed to proceed with the registration, if the document presented by the petitioner is otherwise in accordance with the provisions of the Registration Act. The said exercise is directed to be completed within a period of four weeks from the date of receipt of a copy of this order.

5. In the result, the writ petition stands allowed. No costs.

17.07.2023

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

cse



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W.P.No.9308 of 2023

S.M.SUBRAMANIAM, J.

cse

To

- 1.The Inspector General of Registration,
Santhome, Chennai.
- 2.The Sub-Registrar,
Panruti, Sub-Registrar,
Cuddalore District,
Panruti.

W.P.No.9308 of 2023

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