



WEB COPY



W.P.No.12075 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12075 of 2023

S.Muthukrishnan

...Petitioner

Vs.

1.The District Registrar,
Virudhachalam,
Cuddalore District.

2.The Sub Registrar,
Sub Registration Office,
Ulundurpettai,
Kallakurichi District.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the record pertaining to the impugned order bearing Refusal Number RFL / Ulundurpettai / 16 / 2023 dated 24.03.2023 passed by the 2nd respondent is illegal and quash the same, subsequently mandamus directing the 2nd respondent to register the petitioner's document bearing Temporary No. TP / 140628043 / 2023.

For Petitioner : Ms.K.Varsha

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



W.P.No.12075 of 2023

ORDER

WEB COPY The impugned refusal check slip issued by the second respondent in proceedings dated 24.03.2023 is sought to be quashed in the present writ petition.

2. The petitioner states that he is the purchaser of the subject property and he presented a sale deed for registration. The document presented by the petitioner was returned along with the impugned refusal check slip on the ground that the boundaries are not clear and therefore, the Sub Registrar asked the petitioner to survey the land properly and prepare a new document and present the same.

3. The reason stated in the order impugned is beyond the scope of the Registering Authority under the Registration Act. Regarding the dispute in the boundaries, the Registering authority has no jurisdiction to interfere. If at all, the boundaries are uncertain, then it is for the parties to resolve the issues in the manner known under law. Thus, the order impugned is perverse. Accordingly, the impugned refusal check slip issued by the second respondent in proceedings No.RFL/Ulundurpettai/16/2023 dated 2/5



W.P.No.12075 of 2023

24.03.2023 dated 24.03.2023 is quashed and the registering authority is directed to proceed with the registration by following the procedures as contemplated. The said exercise is directed to be completed within a period of four(4) weeks from the date of receipt of a copy of this order.

4. With this direction, the writ petition stands allowed. No costs.

03.08.2023

nl

Index: Yes
Speaking Order

To

3/5



W.P.No.12075 of 2023

WEB COPY

1.The District Registrar,
Virudhachalam,
Cuddalore District.

2.The Sub Registrar,
Sub Registration Office,
Ulundurpettai,
Kallakurichi District.



WEB COPY



W.P.No.12075 of 2023

S.M.SUBRAMANIAM, J.

nl

W.P.No.12075 of 2023

03.08.2023