



WEB COPY



W.P.No.12364 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.12364 of 2023

C.Dasaram

...Petitioner

Vs.

The Sub-Registrar,
Sathyamangalam SRO
Erode District.

..Respondent

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the reocrds relating to the impugned Refusal Check Slip in Refusal Number/RFL/Sathyamangalam/33/2023 SRO, Sathyamangalam dated 12.4.2023 and quash the same as illegal and consequently direct the respondent to admit the gift settlement deed presented by the petitioner dated 12.4.2023 for registration forthwith.

For Petitioner : Mr.K.A.Mariappan

For Respondent : Mr.S.Ravichandran
Additional Government Pleader

ORDER



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The rejection slip issued by the Sub Registrar, Sathyamangalam SRO,

Erode District is sought to be quashed in the present writ petition.

2. The petitioner presented a Settlement Deed for registration before the 1st respondent / Sub-Registrar and the said document was returned on the ground that the name of the petitioner is found in the joint patta in respect of the property proposed to be settled.

3. Thus, the Sub-Registrar indicated that the petitioner has to produce an individual patta for the purpose of registering the Settlement Deed with reference to the portion of the property proposed to be settled.

4. This Court is of the considered opinion that the objection raised by the Sub-Registrar cannot be termed as infirm. In the event of joint patta, one person cannot register a Settlement Deed. In such circumstances, the person, who is willing to settle his portion of the property, has to obtain separate patta in his name with reference to his share and thereafter present Settlement Deed in the manner known to law.



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5. With these observations, the writ petition stands dismissed. No costs.

24.04.2023

Index : Yes
Speaking order
Neutral Citation: Yes
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To

The Sub-Registrar,
Sathyamangalam SRO
Erode District.



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S.M.SUBRAMANIAM, J.

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