



W.P.Nos.26086 and 26143 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos.26086 and 26143 of 2023

A.Parimalam

... Petitioner
in W.P.No.26086 of 2023

J.Manohar

... Petitioner
in W.P.No.26143 of 2023

versus

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai -4.

2.The District Registrar (Administration),
O/o.District Registrar,
Namakkal.

3.The Sub Registrar,
O/o.Sub Registrar,
Komarapalayam,
Namakkal District.

4.R.P.Paramasivam

5.R.P.Balakrishanan

Pg.Nos.1/6



W.P.Nos.26086 and 26143 of 2023

6.R.P.Rajamanickam

7.Suseela

8.D.Sagunthala

9.Murugan

.....Respondents
in both W.Ps

Prayer in W.P.No.26086 of 2023:

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records in respect of the orders of the third respondent RFL/Komarapalayam/ 59/2023, dated 23.05.2023 and quash the same and issue a direction to the third respondent to register the release deed dated 23.05.2023 in respect of property in Pyemass No.80 to an extent of 1697 ½ and 205 sq.ft in Komarapalayam Agarharam Village, Komarapalayam Taluk, Namakkal District within Komarapalayam Sub-Registration District and Registration District of Namakkal.

Prayer in W.P.No.26143 of 2023:

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records in respect of the orders of the third respondent RFL/Komarapalayam/ 60/2023,

Pg.Nos.2/6



W.P.Nos.26086 and 26143 of 2023

dated 23.05.2023 and quash the same and issue a direction to the third respondent to register the release deed dated 23.05.2023 in respect of property in Pyemass No.225 to an extent of 35 ¼ cents in Komarapalayam Agarharam Village, Komarapalayam Taluk, Namakkal District within Komarapalayam Sub-Registration District and Registration District of Namakkal.

For Petitioners : Mr.D.Chandrasekar
in both W.Ps

For Respondents : Mr.P.Gurunathan
Additional Government Pleader
for R1 to R3
in both W.Ps

Mr.R.Marudhachalamurthy
for R5
in both W.Ps

No appearance
for R4, R6, R7, R8 and R9
in both W.Ps

COMMON ORDER

These Writ Petitions have been filed to quash the impugned refusal check slips dated 23.05.2023 passed by the third respondent and consequently to direct the third respondent to register the Release Deeds

Pg.Nos.3/6



W.P.Nos.26086 and 26143 of 2023

dated 23.05.2023 in respect of the petitioners' properties in Pyemass Nos.80 and 225 measuring an extent of 1697 ½ and 205 sq.ft and 35 ¼ cents, respectively in Komarapalayam Agarharam Village, Komarapalayam Taluk, Namakkal District within Komarapalayam Sub-Registration District and Registration District of Namakkal.

2. Heard both sides and perused the materials available on record.

3. On a perusal of the records, it is seen that a civil suit in O.S.No.89 of 2014 between the parties is pending before the Subordinate Court, Tiruchengode, seeking partition of the subject properties. Therefore, the third respondent refused to register the Release Deeds dated 23.05.2023. The learned counsel for the petitioners also admitted the pendency of the civil suit between the parties. Hence, the petitioner is not entitled to get any relief as sought for in this writ petition.

4. In view of the above position, this Court does not find any perversity or infirmity in the impugned refusal check slips, dated



W.P.Nos.26086 and 26143 of 2023

23.05.2023 passed by the third respondent. Accordingly, these Writ Petitions are dismissed. However, the petitioner is at liberty to approach the Registering authority after disposal of the Civil Suit for registering the Released Deeds. However, there shall be no order as to costs.

21.12.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

- 1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai -4.
- 2.The District Registrar (Administration),
O/o.District Registrar,
Namakkal.
- 3.The Sub Registrar,
O/o.Sub Registrar,
Komarapalayam,
Namakkal District.

Pg.Nos.5/6



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W.P.Nos.26086 and 26143 of 2023

P.VELMURUGAN, J.

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W.P.Nos.26086 and 26143 of 2023

21.12.2023

Pg.Nos.6/6