



W.P(MD)No.6564 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.6564 of 2023

and

W.M.P(MD)Nos.6221 & 6223 of 2023

S.P.Murugan

... Petitioner

Vs.

The Sub Registrar
Nagalnayakkanpatti Sub Registrar Office,
District Registrar's Office Campus,
Dindigul - 624001.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the impugned refusal Cheque Slip on the file of the respondent vide proceeding in Refusal No.RFL/Nagalnayakkanpatti/68/2022 dated 02.09.2022 and quash the same and further directing the respondent to register the petitioner's Documents dated 02.09.2022 in



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respect of the properties bearing S.Nos.1874 and 1875/2 to an extent of 2250 Sq. Ft and 3220 Sq. Ft respectively, in Gomathipuram 6th Ward, Nagalnayakkanpatti, Dindigul.

For Petitioner : Mr.I.Robert Chandrakumar

For Respondent : Mr.M.Prakash
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a Certiorarified Mandamus seeking interference with a refusal check slip pending on the file of the respondent / Sub Registrar, Nagainayakkanpatti Sub Registrar Office, Dindigul, which according to the petitioner has been kept pending for nearly about 7 months by the said respondent in refusal slip No.RFL/Nagainayakkanpatti /68/2022 dated 02.09.2022 and to direct the said respondent, to register the document presented by the petitioner on 02.09.2022 in relation to property bearing Survey Nos.1874 and 1875/2, measuring 2250 square feet and 3220 square feet respectively, in Gomathipuram 6th ward, Nagainayakkanpatti, Dindigul.



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2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner and one, Selvakumar, son of Muniyandi, had jointly purchased the two aforementioned properties on 02.09.2022. They have purchased the same from Dindigul Soundararaja Mill Employees INTUC Union represented by its Secretary, Velusamy. A resolution had also been passed in this connection by the said Union. Thereafter, the petitioner had presented the said document for registration. However, one K.S.G.Kumar, General Secretary, National Cotton Mill Employees Union, Madurai, had raised an objection. In the affidavit, it had been stated that the petitioner had participated in the three separate enquiries conducted by the Sub Registrar.

3. A direction is issued to the Sub Registrar to pass orders since the enquiries have been conducted with him and to take a decision to either register the documents, or, not to register the documents, but a definite decision must be taken. In the said decision, he must give necessary reasons. The respondent cannot and should not keep the document pending for nearly now about 7 months. The decision has to be taken by the respondent on or before 30.04.2023.



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4. The respondent while examining the registration of the document may keep in mind that it may not be appropriate on his part to examine the title of the property, but examine whether adequate stamps have been paid and registration charges have been paid. Therefore, let him confine himself within his jurisdiction and not exceed his jurisdiction while taking a decision.

5. With the above direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

27.03.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No

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The Sub Registrar
Nagalnayakkanpatti Sub Registrar Office,
District Registrar's Office Campus,
Dindigul - 624001.



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C.V.KARTHIKEYAN, J.

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