



W.P(MD)Nos.2785 of2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2785of 2019

R.Tamilselvan

... Petitioner

Vs.

The Sub Registrar,
Thirumangalam,
Madurai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to register the document presented by the petitioner dated 17.10.2018 in respect of the undivided share property.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner is the donee under the document in question. The respondent for reasons that are not clear has declined to register the document.



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He has not even issued any refusal check slip. In other words, the respondent has refused to even receive the document. This is clearly incorrect.

3. The respondent is obliged to receive the document. He has two options before him. If everything is in order, the document has to be registered and released subject to payment of appropriate stamp duty. If the document cannot be registered, the respondent has to issue refusal check slip. I direct the respondents to adopt either one of the courses of action. This exercise shall be completed within a period of ten weeks from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of. No costs.

03.01.203

Index : Yes / No
Internet : Yes/ No
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To
The Sub Registrar,
Thirumangalam,
Madurai District.



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G.R.SWAMINATHAN, J.

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