



W.P.(MD)No.16568 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.16568 of 2021
and
W.M.P.(MD).No.13447 of 2021

Ulaganathan

... Petitioner

Vs.

1.The District Registrar of Registration,
Tenkasi Registration District,
Tenkasi.

2.The Sub Registrar,
Uthumalai Sub Registrar Office,
Uthumalai Village,
Veerakeralampudur Taluk,
Tenkasi District.

3.Kannaiah

4.Gomathiammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order, Refusal Check Slip, Refusal Number: RFL/Uthumalai/10/2021, dated 15.02.2021, issued by the second respondent to



W.P.(MD)No.16568 of 2021

the petitioner and quash the same as illegal and consequently to direct the second respondent to register the petitioner's settlement deed, dated 20.01.2021, within a time frame as fixed by this Court.

For Petitioner : Mr.P.Santhana Krishnan

For R-1 and R-2 : Mrs.D.Farjana Ghoushia
Special Government Pleader

For R-3 and R-4 : Mr.M.P.Senthil

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip issued by the second respondent dated 15.02.2021 and for a consequential direction to the second respondent to register the settlement deed dated 20.01.2021 and to release the document.

2. Heard the learned counsel appearing on behalf of the petitioner, the learned Special Government Pleader appearing on behalf of the respondents 1 and 2 and the learned counsel appearing on behalf of the respondents 3 and 4.

3. The petitioner is claiming to be the owner of the subject property by virtue of registered sale deeds dated 02.06.2005 and 11.04.2007. The petitioner



W.P.(MD)No.16568 of 2021

wanted to settle the entire property in favour of his son and he executed a settlement deed dated 20.01.2021. When this document was presented for registration, the second respondent issued a refusal check slip on the ground that this property was already settled by the third respondent in favour of the fourth respondent. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. When the matter was taken up for hearing, the learned counsel appearing on behalf of the respondents 3 and 4 submitted that the respondents 3 and 4 have already filed a civil suit before the Principal Sub Court, Tenkasi in O.S.No.592 of 2021 seeking for the relief of declaration and permanent injunction and this suit is contested by the petitioner and his vendor. The relevant documents are also placed before this Court.

5. In the light of the substantive suit that is now pending before the competent civil Court, it will be left open to the parties to agitate their grievance before the civil Court. The civil Court shall deal with the issues on its own merits and in accordance with law without being influenced by the order passed in this Writ Petition.



W.P.(MD)No.16568 of 2021

WEB COPY 6. This Writ Petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

20.12.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To

- 1.The District Registrar of Registration,
Tenkasi Registration District,
Tenkasi.
- 2.The Sub Registrar,
Uthumalai Sub Registrar Office,
Uthumalai Village,
Veerakeralampudur Taluk,
Tenkasi District.



WEB COPY



W.P.(MD)No.16568 of 2021

N.ANAND VENKATESH, J.

Nsr

W.P.(MD)No.16568 of 2021

20.12.2023