



W.P(MD)No.24543 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24543 of 2023

N.Ponnusamy

... Petitioner

Vs.

1.The Sub Registrar,
Manaparai,
Trichy District.

2.V.Palaniyappan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned return check slip passed by the 1st respondent in his proceedings in Refusal No.RFL/Manaparai/290/2023 dated 20.09.2023 and quash the same as illegal and consequently direct the 1st respondent to register the sale deed dated 20.09.2023 presented by the petitioner for the registration and release the same to the petitioner.



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For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.M.Sidharthan,
Addl. Government Pleader for R1.

ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Government Pleader for the first respondent.

2.The petitioner wants to sell the petition mentioned property. He presented the sale deed for registration before the first respondent. Citing the fact that sale agreement had already been entered into in this regard, the first respondent declined to register the document. Refusal check slip was issued to that effect. Questioning the same, the present writ petition came to be filed.

3.The issue raised in this writ petition is no longer *res integra*. The Hon'ble Division Bench of this Court in the decision reported in **2020 (6) CTC 697 (N.Ramayee Vs. The Sub Registrar, Registration Department,**



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Salem) had held that the fact that the executant of the document had earlier entered into sale agreement will not operate as a bar for him to enter into subsequent transactions.

4. Respectfully applying the aforesaid ratio, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document before the first respondent. The first respondent shall receive it, register it and release it subject to fulfillment of usual formalities.

5. This writ petition is allowed accordingly. No costs.

01.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The Sub Registrar,
Manaparai,
Trichy District.



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G.R.SWAMINATHAN, J.

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