



W.P(MD)No.26840 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26840 of 2023

and

W.M.P(MD)No.23071 of 2023

Mohamed Wahar

... Petitioner

Vs.

The Sub Registrar,
Rajasingamangalam Sub Registrar Office,
Rajasingamangalam Taluk,
Ramanathapuram District.

... Respondent

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 refusal check slip No.93/2023 dated 25.10.2023 and quash the same as illegal unjust and unconstitutional and direct the respondent to register the petitioner's settlement deed dated 20.10.2023 and release the same.

For Petitioner : Mr.JM.Hassanul Basari

For Respondent : Mr.M.Siddharthan
Additional Government Pleader



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ORDER

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Heard both sides.

2. Ms.Noorjahan, the petitioner's sister executed settlement deed dated 24.09.2020 conveying the petition mentioned property in favour of the petitioner. It was registered as Document No.1162 of 2020 on the file of the respondent. The settlor subsequently cancelled the same unilaterally on 14.10.2020. It was registered as Document No.1300 of 2020. The petitioner filed W.P(MD)No.5505 of 2021 challenging the registration of the unilateral deed of cancellation. It was allowed on 27.09.2023. Thereafter, the petitioner executed the petition mentioned document settling the property in favour of his son Ajmeer Khaja Mytheen. The grievance of the petitioner is that when the document was sought to be registered, the respondent declined to register the same by giving some reason. Challenging the stand of the respondent, the present writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader was ready with written instructions. He



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submitted that the petitioner had wrongly selected Document No.1300 of 2020 as previous document and that is why registration was refused.

4. The learned counsel appearing for the petitioner states that he would now upload Document No.1162 of 2020 as the previous document. In fact, in my view the Document No.1162 of 2020 alone can be called as the parent deed for the writ petitioner. Copy of the instruction has also been served on the learned counsel appearing for the petitioner. If the petitioner is still encountering any difficulties, it is open to him to move this Court again for relief.

5. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

MGA

To

The Sub Registrar,
Rajasingamangalam Sub Registrar Office,
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