



W.P(MD)No.28459 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28459 of 2023

R.Vignesh Prabhu

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
581, Kacheri Road,
Virudhunagar-626 001,
Virudhunagar.

2.The Sub Registrar,
Sathur Sub Registrar Office,
704, Main Road, Sathur,
Virudhunagar District.

3.The Assistant Commissioner,
HR & CE,
Virudhunagar,
Virudhunagar District.

... 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 of the 2nd respondent check slip in Refusal Number. RFL/Sathur/4/2023 and quash the same as illegal and consequently, directing the 2nd respondent to register the Thana Settlement deed submitted by the father of the petitioner infavour of the petitioner in respect of the House Property in Survey Number 489/2C2B in Patta Number 1329 situated at



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Melamadai Village, Sathur Taluk, Virudhunagar District within a stipulated time fixed by this Court.

For Petitioner : Mr.J.Balameenakshi

For Respondents : Mr.S.Ra.Ramachandran
Additional Government Pleader for R1 & R2
: Mr.N.Ramesh Arumugam
Government Advocate for R3

ORDER

Head both sides.

2. The settlement deed presented by the petitioner's father could not be registered on account of the stand taken by the third respondent. According to the third respondent, it is an endowed property. Refusal check slip was issued recording the said stand. Challenging the same, the present writ petition has been filed.

3. The executant is permitted to re-present the document before the registering authority / R2. The second respondent will refer the matter to the first respondent. The first respondent will follow the directions laid down by the Hon'ble Division Bench reported in *(2017) 3 CTC 135 (Sudha Ravi Kumar Vs. The Special Commissioner and others)*. The petitioner states that the document will be re-presented within 7 days from the date of receipt of a copy of this order. If such re-presentation takes place, the entire exercise as mentioned above shall be completed within a period of twelve weeks thereafter.

I make it clear that I have not gone into the merits of the matter.



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

04.12.2023

Index : Yes / No

Internet : Yes/ No

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To

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Virudhunagar.

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G.R.SWAMINATHAN, J.

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