



W.P.No.2065 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.2065 of 2024

and

W.M.P.No.2215 of 2024

G.Muniyammal

... Petitioner

versus

1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road, Chennai.

2.The District Registrar (Administration),
North Chennai (Kurlagam),
Chennai – 600 104.

3.The Sub Registrar,
Thiruvottiyur,
Now Office at Wimco Nagar,
Chennai – 600 057.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent relating to refusal number

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RFL/Thiruvotriyur/15/2023 dated 20.12.2023 and quash the same and consequently, direct the third respondent to register the settlement deed dated 20.12.2023 executed by the petitioner in accordance with law and to release the document to the petitioner after due registration.

For Petitioner : Mr.L.Poovendra Perumal

For Respondents : Mrs.V.Yamunadevi
Special Government Pleader

ORDER

Mrs.V.Yamunadevi, learned Special Government Pleader accepts notice for the respondents. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition has been filed to quash the impugned refusal number RFL/Thiruvotriyur/15/2023 dated 20.12.2023 issued by the third respondent and consequently, direct the third respondent to register the Settlement Deed, dated 20.12.2023 executed by the petitioner in accordance with law and to release the document to the petitioner after due registration.



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3. The learned counsel for the petitioner submitted that the subject property has been assigned to the petitioner under the Scheme of the Government assigning free house-sites to the landless poors and Assignment Patta was also issued by the District Collector, Tiruvallur and Tahsildar, Ponneri Taluk vide order dated 19.06.2000. While so, the petitioner executed a settlement deed in favour of his son G.Marimuthu on 20.12.2023 and presented for registration before the third respondent by paying necessary stamp duty and registration charges. However, the third respondent refused to register the same, stating that without Revenue Patta only Assignment Patta has been produced. The learned counsel further submitted that the petitioner has produced the original Assignment Patta before the third respondent, however, the third respondent without any valid reason passed the impugned refusal check slip. Hence, the present writ petition has been filed.

4. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that based on the Assignment Patta the petitioner executed the Settlement Deed in favour of his son. The



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petitioner has not obtained Revenue Patta till date in respect of the subject land and still the subject lands are under 'O-guideline value' and hence, the third respondent has passed the impugned refusal check slip.

5. Heard both sides and perused the materials available on record.

6. It is seen that the petitioner has not produced any documents except the Assignment Order and hence, the third respondent passed the impugned refusal check slip dated 20.12.2023. Therefore, the petitioner is at liberty to approach the Revenue Authority and re-present the document, after obtaining Revenue Patta from the authority concerned.

7. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs. Consequently connected miscellaneous petition is closed.

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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
ms

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To

- 1.The Inspector General of Registration,
Registration Department,
No.100, Santhome High Road, Chennai.
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