



WEB COPY



WP.No.8648 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.8648 of 2023

Tamilselvi

.. Petitioner

Versus

The Sub Registrar
Office of the Sub Registrar
Moolanur, Tiruppur District

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of refusal check slip No.RFL/Moolanur/2/2022 dated 05.01.2022 passed by the respondent herein and quash the same and consequently direct the respondent to register the compromise decree dated 04.09.2021 made in O.S.No.183 of 2021 on the file of the Sub Court, Dharapuram.

For Petitioners : Mr.J.Ponraj

For Respondent : Mr.J.Ravindran, AAG
assisted by
Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

Challenge has been made to the refusal check-slip issued by the respondent in registering the compromise decree deed dated 04.09.2021 made in O.S.No.183 of 2021 on the file of the Sub Court, Dharapuram.



WP.No.8648 of 2023

2. It is the case of the petitioner the document sought to be registered is only a compromise decree between the co-owners. However, the same has been refused to be registered. Hence, the writ petition.

3. Heard both sides and perused the materials placed on record.

4. By consent of both parties, this writ petition is taken up for final disposal.

5. Though there are many properties, one property is said to be “0” value in respect of which already a decree has been obtained by the grandfather of the petitioner against the Government. Such view of the matter, it is not the duty of the Registrar to go into the title. Accordingly, the refusal slip is liable to be quashed.

6. Accordingly, the impugned refusal checkslip dated 05.01.2022 is set aside. The respondent is directed to register the compromise decree dated 04.09.2021 made in O.S.No.183 of 2021 on the file of Sub Court, Dharapuram within a period of 15 days from the date of receipt of a copy of this Order.



WP.No.8648 of 2023

7. In view of the above, this writ petition stands allowed. No costs.

Consequently, connected miscellaneous petition is closed.

26.04.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

To,

The Sub Registrar
Office of the Sub Registrar
Moolanur, Tiruppur District



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WP.No.8648 of 2023

N. SATHISH KUMAR, J.

dhk

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