



WEB COPY



WP.No.11286 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11286 of 2023
and W.M.P.No.11166 of 2023

Madheshwari

.. Petitioner

Versus

The Joint – I Sub Registrar
O/o The Joint – I Sub Registrar
Namakkal 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 respondent relating to the checkslip dated 15.03.2023 in Refusal Check Slip in RFL/1 and quash the same and consequently direct the respondent to register the partition deed dated 15.03.2023 which was presented on 15.03.2023

For Petitioners : Mr.I.Abrar Md Abdullah

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



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

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

4. When the property is inherited from the ancestor, it cannot be expected that all the times, the document should be in the name of subsequent owners. Such view of the matter, merely, the mutation of revenue record has not taken place, the same cannot be a ground to reject the registration of the partition deed.

5. Accordingly, the impugned refusal checkslip dated 15.03.2023 is set aside. The respondent is directed to register the partition deed dated 15.03.2023 within a period of 15 days from the date of receipt of a copy of this Order.

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

<https://www.mhc.tn.gov.in/judis>



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To,

The Joint – I Sub Registrar
O/o The Joint – I Sub Registrar
Namakkal District



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N. SATHISH KUMAR, J.

dhk

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