



WEB COPY



WP.No.11023 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **26.04.2024**

CORAM

**THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR**

**WP.No.11023 of 2024**

B.Sivakumar

.. Petitioner

Versus

The Sub Registrar  
Cheyyar Joint – II, Sub Registrar Office,  
Tiruvannamalai 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 relating to the impugned Order made in refusal check slip dated 11.03.2024 in RFL/2 Joint Sub Registrar Cheyyar/37/2024, quash the same and consequently direct the respondent to register the partition deed dated 11.03.2024.

For Petitioner : Mr.T.N.Rangehkanna

For Respondent : Mr.L.S.M.Hasan Fizal  
Additional Government Pleader

**ORDER**

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.



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2. This writ petition is filed to quash the impugned refusal check slip dated 11.03.2024 in RFL/2 Joint Sub Registrar Cheyyar/37/2024 and consequently direct the respondent to register the partition deed dated 11.03.2024.

3. Heard learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent and perused the materials available on record.

4. The document presented by the petitioner was refused to be registered mainly on the ground that the attachment passed by the Civil Court is not raised. The learned counsel appearing for the petitioner submitted that the attachment was originally passed in Execution Petition in E.P.No.41 of 2012. The respondent in the claim petition in M.C.O.P.No.307 of 2001 gave a property as that of his property. Pursuant to the same the attachment was ordered and the very Execution Petition itself is dismissed in year 2016. Therefore, merely on the ground that the attachment is not raised, it cannot be a ground to refuse to register the partition deed presented by the petitioner. Hence, I do not find any merits in this Writ Petition.



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5. Accordingly, this Writ Petition is allowed and the impugned order dated 11.03.2024 is set aside and there shall be a direction to the respondent to register the Partition Deed dated 11.03.2024 presented by the petitioner. Such an exercise shall be completed within a period of 15 days from the date of receipt of a copy of this Order. No costs.

**26.04.2024**

vrc

Index : Yes/No  
Internet : Yes/No  
Neutral Citation : Yes/No

To,

The Sub Registrar  
Cheyyar Joint – II, Sub Registrar Office,  
Tiruvannamalai District.



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**N. SATHISH KUMAR, J.**

VRC

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