



WEB COPY

W.A.No.818 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and**

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.A.No.818 of 2024

1. Mrs.Kalaiarasi
2. Mrs.Dhanalakshmi

... Appellants

Vs.

The Sub-Registrar,
Sub-Registrar Office,
Chennimalai,
Thirupur District.

... Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 17.10.2022 passed in W.P.No.26449 of 2022.

For Appellants : Ms.S.Pooja Shree
for M/s.A.Parthasarathy and Associates

For Respondent : Mr.P.Ananda Kumar,
Government Advocate

J U D G M E N T

(Judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

The Writ Appeal has been filed against the order dated 17.10.2022



passed in W.P.No.26449 of 2022.

2. The writ petitioners are the appellants before us. The petitioner presented the relinquishment deed for registration under the Registration Act, 1908. The Sub-Registrar refused to register the same on the ground that the subject property has been attached by Court proceedings.

3. The learned Single Judge relying on Section 22-B of the Registration Act, 1908 dismissed the Writ Petition. Section 22-B of the Registration Act, 1908 unambiguously stipulates that document relating to transfer of immovable property by way of sale, gift, lease or otherwise, which is attached permanently or provisionally by a competent authority under any Central Act or State Act for the time being in force or any Court or Tribunal is registrable.

4. The presentant/appellant herein presented the relinquishment deed in respect of the property, which is under attachment by the Court of law. That being the factum, we do not find any infirmity in respect of the decision arrived by the learned Single Judge in the writ proceedings.



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5. Accordingly, the Writ Appeal stands dismissed. No costs.

(S.M.S.,J.) (K.R.S.,J.)
12.03.2024

skr
Index : Yes
Speaking order

To

The Sub-Registrar,
Sub-Registrar Office,
Chennimalai,
Thirupur District.



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S.M.SUBRAMANIAM, J.
and
K.RAJASEKAR, J.

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