



WEB COPY



WP.No.14963 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.14963 of 2024
and W.M.P.No.16253 of 2024

Selvakumar

.. Petitioner

Versus

1.The Inspector General of Registration
No.100, Santhome High Road, Mullima Nagar
Pattinapakkam, Chennai – 600 028

2.The District Registrar
District Registrar Office
Salem District

3.The Sub Registrar
Yercaud Sub-Registration Office
Salem District

4.The Deputy Superintendent of Police
Economic Offence Wing-II
Annam Thirumana Mandapam
Jagir Ammapalayam, Salem District

.. Respondents

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 Refusal Checkslip made in RFL/Yercaud/51/2023 dated 14.09.2023, quash the same and consequently direct the respondents to register the sale deed covered under Doc.No.474 of 2016.



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For Petitioner : Mr.R.Thamaraiselvan
For Respondents : Mr.B.Vijay for R1 to R3
Additional Government Pleader
Mr.S.Sugendran for R4
Additional Public Prosecutor

ORDER

Challenging the refusal slip issued by the third respondent dated 14.9.2023, this writ petition has been filed.

2. It is the case of the writ petitioner that the petitioner purchased Plot Nos.4,19 and 20 comprised in Patta Nos.130 and 299 in Survey Nos.14/3 and 18/25 situated in Vaazhavanthi Revenue Vilage, Yercaud Taluk, Salem District by virtue of a sale deed dated 06.06.2016. When the petitioner decided to sell the property and the sale deed was presented on 09.09.2023, the impugned refusal checkslip has been issued mainly on the ground that there is an objection by the Investigating Officer, Economic Offences Wing (EOW) II in Crime No.15 of 2017. Hence, this writ petition.

3. The fourth respondent has filed a counter and it is stated that the said property is not attached in respect of the criminal case and the petitioner is also not an accused. It is also stated that the attachment will only proceed against the properties in the name of the accused and the petitioner is not an accused.



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4. Heard both sides and perused the materials placed on record. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

5. Considering the above stand of the fourth respondent and merely on the basis of a letter, document cannot be refused to be registered. Accordingly, the impugned refusal checkslip is set aside and there shall be a direction to the third respondent to register the sale deed dated 11.09.2023 presented by the petitioner. Such exercise shall be completed within a period of one month from the date of receipt of a copy of this Order.

6. With the above direction, this writ petition is allowed. Consequently, connected miscellaneous petition stands closed. No costs.

02.07.2024

dhk

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No



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N. SATHISH KUMAR, J.

dhk

To,

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