



WEB COPY



WP.No.18892 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.18892 of 2024

B.Suresh Kumar

.. Petitioner

Versus

1. The Inspector General of Registration,
Santhome High Road, Mylapore, Chennai – 600 004.
2. The District Registrar Officer, O/o.District Registrar,
Ponneri, Thiruvallur District.
3. The Revenue Divisional officer,
Gummudipoondi Taluk, Thiruvallur District.
4. The Tahsildar, O/o.the Tahsildar,
Ponneri, Thiruvallur District.
5. The Sub-Registrar,
Arani Taluk, Arni – 601 101, Thiruvallur District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the impugned refusal check slip No.RFL/Arani-Thiruvallaur/32/ 2023 issued by the 5th respondent dated 17.10.2023 and quash the same.



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For Petitioner : Mr.R.Dineshkumar
For Respondents : Mr.P.Anandhakumar
Government Advocate

ORDER

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

2. This writ petition is filed to quash the impugned refusal check slip No.RFL/Arani-Thiruvallaur/32/ 2023 issued by the 5th respondent dated 17.10.2023.

3. Heard learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

4. The case of the petitioner is that the subject properties totally to an extent of 1 acre 97 cents was owned by one Elumalai and he executed a settlement deed in favour of his daughters and they intun have executed sale deed to an extent of 0.19 cents in favour of the petitioner. The grievance of the petitioner is that when the sale deed has been presented for registration, the



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same was refused to be registered on the ground that the proceedings between Natarajan and Ponvel is pending regarding transfer of patta. Challenging the same, the present Writ Petition has been filed.

5. It is relevant to note that the subject property has been settled in favour of the vendor of the petitioner on 22.08.2022 itself. Based on the said settlement deed, now the sale deed has been registered. However, as a protest petition has been given by one Natarajan and Ponvel, Son of Gangan, the document has not been registered. It is further relevant to note that the very settlement deed has been executed by one Elumalai, S/o.Gangan and a perusal of the protest petition indicate that there is civil dispute between the parties. In such view of the matter it is for the parties to establish their title before the Civil Court. Hence, the impugned refusal slip cannot be sustained in the eye of law.

6. Accordingly, this Writ Petition is allowed and the impugned refusal slip of the fifth respondent dated 17.10.2023 is quashed. No costs.

10.07.2024

vrc



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

To,

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Santhome High Road, Mylapore, Chennai – 600 004.
2. The District Registrar Officer, O/o.District Registrar,
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N. SATHISH KUMAR, J.

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