



W.A.No.2077 of 2

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

W.A.No. 2077 of 2024
and
C.M.P.No. 14657 of 2024

Veeramanikandan

...Appellant

Vs.

1.The Joint Sub-Registrar No.I, (in charge)
Cuddalore.

2.The Revenue Tahsildar,
Cuddalore, Cuddalore District.

3.The Tahsildar,
Cuddalore, Cuddalore District.

4.V.Valli

5.V.Raja

...Respondents

Prayer: Writ Appeal filed under Clause 15 of the Amended Letters Patent,
against the order dated 18.04.2024 made in W.P.No.34772 of 2022.



WEB COPY

W.A.No.2077 of 2



For Appellant : Mr.Prakash Adiapadam

For Respondents : Mr.L.S.M.Hasan Faizal

Additional Government Pleader for R1

Mr.A.Selvendran

Special Government Pleader for R2 & R3

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

The appellants wanted to invest the jurisdiction of a Civil Court in a Sub-Registrar who is an ordinary Officer vested with duties of registering instruments. The Sub-Registrar also readily usurped the jurisdiction of a Civil Court and determined the nature of a Patta as well as the rights of parties in immovable property. This was questioned by the 4th & 5th respondents before the Writ Court. The Writ Court rightly came to the conclusion that the Sub-Registrar has no right to refuse to register a document on the ground that a protest petition has been lodged in violation of the substantive provisions of the Transfer of Property Act, 1882.



W.A.No.2077 of 2

2. We do not see any reason to interfere with the order of the learned single Judge. This Writ Appeal is therefore, **dismissed**. We make it clear that any of the observations made in the order of the learned single Judge made in the Writ Petition or in our order will not affect the rights of the appellants herein, if they chose to seek to establish their rights before the competent Civil Court. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (R.S.V., J.)
16.07.2024

kkn

Internet: Yes

Index: No

Speaking

Neutral Citation : No



WEB COPY



W.A.No.2077 of 2

R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

KKN

To:-

- 1.The Joint Sub-Registrar No.I, (in charge)
Cuddalore.
- 2.The Revenue Tahsildar,
Cuddalore, Cuddalore District.
- 3.The Tahsildar,
Cuddalore, Cuddalore District.

W.A.No. 2077 of 2024
and
C.M.P.No. 14657 of 2024

16.07.2024