



WEB COPY



W.P.No.20248 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.20248 of 2024

Gokul

.. Petitioner

Vs

The Sub Registrar
Marandahalli
Dharmapuri District

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records of the respondent herein pertaining to his proceeding in RFL/Marandahalli/49/ 2024 dated 20.06.2024 and quash the same, consequently direct the respondent herein to register the settlement deed and return the same to the petitioner.

For Petitioner	: Mr.C.Umashankar
For Respondent	: Mr.M.Shajahan Special Government Pleader

ORDER

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



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2. Challenging the impugned Refusal Check Slip dated 20.06.2024

passed by the respondent, this writ petition has been filed.

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

4. When the petitioner presented a Settlement Deed dated 31.05.2024 for registration, the same was refused to be registered by the respondent, citing pendency of the suits in O.S.Nos.112 and 128 of 2020 on the file of the District Munsif Court, Palacode. As the very reason stated by the respondent itself is against the decision of this Court, in ***Subramani Vs. The Sub Registrar, Rasipuram and Another (W.P.No.11056 of 2024 decided on 26.04.2024)***, no counter is required.

5. It is the contention of the learned counsel for the petitioner that the suits were for easementary rights and the registration of the Settlement Deed will not affect the immovable property in any manner and therefore, he seeks for a direction to the respondent to register the settlement deed.



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6. In view of the above, the impugned order passed by the respondent is set aside and the respondent is directed to register the Settlement Deed of the petitioner, within a week's time from the date of receipt of a copy of this order.

With the above direction, this writ petition stands allowed.

No costs.

25.07.2024

gya

Index : Yes/No

Neutral Citation : Yes/No

To
The Sub Registrar
Marandahalli
Dharmapuri District



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N.SATHISH KUMAR, J.

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