



WEB COPY

W.P.No.20824 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.20824 of 2024

G.Vijayakumar

...

Petitioner

versus

The Sub-Registrar,
Office of the Sub-Registrar,
Thondamuthur,
Coimbatore District.

...

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records from the respondent's Refusal Letter No. Check slip 18/2024 dated 02.03.2024 relating to refuse to register the sale deed executed by the petitioner quash the same, consequently to direct the respondent to register the sale executed by the petitioner.

For Petitioner : Mr.P.Saravanan

For Respondent : Mr.M.Shajahan
Special Government Pleader



ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition has been filed challenging the Refusal Check Slip No.18/2024 dated 02.03.2024 whereby the respondent refused to register the Sale Deed executed by the petitioner and consequently, direct the respondent to register the Sale Deed executed by the petitioner.

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

4. It is the case of the writ petitioner that when he presented the Sale Deed, the same was refused to register on the ground that the vendor's name is not found in the revenue records. This case is clearly covered under ***Subramani Vs. The Sub-Registrar in W.P.No.11056 of 2024 dated 26.04.2024***. The vendor has purchased the property before the Recovery Officer-II, DRT, Coimbatore, and sale certificate also issued on 31.07.2021.



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Therefore, merely the vendor's name is not found in the revenue records, it cannot be a ground to refuse the document. In such view of the matter, the impugned refusal slip has to be set aside.

5. Accordingly, this Writ Petition is allowed and the impugned Refusal Check Slip dated 02.03.2024 is quashed and the respondent is directed to register the Sale Deed presented by the petitioner within a period of seven days from the date of receipt of a copy of this order. No costs.

29.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

The Sub-Registrar,
Office of the Sub-Registrar,
Thondamuthur,
Coimbatore District.



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N.SATHISH KUMAR, J.

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