



WEB COPY

W.P.No.21672 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.21672 of 2024

C.Meenakshi Kandasamy

...

Petitioner

versus

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakkam,
Raja Annamalaipuram,
Chennai - 600 028.

2.The District Registrar (Administration),
Salem East,
No.27C, Ramasundaram Street,
Salem - 636 001.

3.The Sub Registrar,
Office of the Sub Registrar,
Pethanayakanpalayam,
Salem District - 636 109.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the third respondent pertaining to the refusal check slip No.RFL/Pethanayakanpalayam/20/2024 dated 30.05.2024 and quash the same and consequently direct the third respondent to register the Sale Deed



presented by the petitioner in respect of her properties *vide* the temporary
No.TP/182602762/2024 dated 30.05.2024.

WEB COPY

For Petitioner : Mr.T.Sai Krishnan
For Respondents : 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 is filed to quash the Refusal Check Slip in
Refusal Number : RFL/Pethanayakanpalayam/20/2024 dated 30.05.2024
and consequently direct the third respondent to register the same.

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

4. It is the case of the writ petitioner that when she presented the
Sale Deed for an extent of 22.40 $\frac{3}{4}$ acres, the same was refused to register



on the ground that the petitioner has already executed the settlement deed in the year 2021. Therefore, the remaining undivided share cannot be sold by the petitioner.

5. I have perused the entire Sale Deed. The details given in the Sale Deed make it very clear that the petitioner is entitled to 22.72 acres and out of that extent, she has also gifted 31 ¼ cents. Thereafter, for the remaining 22.40 ¾ acres, she has executed a Sale Deed with specific boundaries.

6. In such view of the matter, it is not for the Sub-Registrar to venture into the division of the properties when the Sale Deed has been presented with clear identity by way of boundaries, the same cannot be refused merely on the basis of interpretation. When the Sale Deed itself clearly indicates that after the gift to the local body, the remaining area alone sought to be sold with specific boundaries. Hence, the impugned order cannot be sustained in the eye of law.



7. Accordingly, this Writ Petition is allowed and the impugned Refusal Check Slip dated 30.05.2024 is quashed and the third respondent is directed to register the Sale Deed dated 30.05.2024 presented by the petitioner within a period of seven days from the date of receipt of a copy of this order. No costs.

01.08.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

1.The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakkam,
Raja Annamalaipuram,
Chennai - 600 028.

2.The District Registrar (Administration),
Salem East,
No.27C, Ramasundaram Street,
Salem - 636 001.

3.The Sub Registrar,
Office of the Sub Registrar,
Pethanayakanpalayam,
Salem District - 636 109.

4/5



WEB COPY

W.P.No.21672 of



N.SATHISH KUMAR, J.

sri

W.P.No.21672 of 2024

01.08.2024