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W.P.No.21499 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.21499 of 2024

B.V.Gopal

... Petitioner

Vs.

The Sub Registrar,
Office of the Sub-Registrar,
Hosur Taluk, Krishnagiri District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceeding vide Refusal Slip having referene No.RFL/Hozur. 10/ 2024 dated 15.07.2024 on the file of the respondent, quash the same and consequently direct the respondent to register the settlement deed dated 03.07.2024 presented by the petitioner for registration and release the document to the writ petitioner within the time period stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

For Respondent : Mr.M.Shajahan, Spl.G.P



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ORDER

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This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceeding vide Refusal Slip having referene No.RFL/Hozur. 10/ 2024 dated 15.07.2024 on the file of the respondent, quash the same and consequently direct the respondent to register the settlement deed dated 03.07.2024 presented by the petitioner for registration and release the document to the writ petitioner within the time period stipulated by this Court.

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

3. The case of the petitioner is that when the petitioner presented a settlement deed for registration, the same was refused to be registered and a refusal slip was issued by the respondent on the ground that rival claim has been made on the subject property.

4. This issue has already been settled by this Court in the case of



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Subramani Vs. The Sub Registrar and Another, made in

W.P.No.11056 of 2024 by an order dated 26.04.2024. Hence, the Sub-

Registrar cannot refuse to register the document on the basis of the objections raised by a rival claimant, who has a different source of title.

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 15.07.2024 is quashed and the respondent is directed to register the settlement deed presented by the petitioner within a period of fifteen days from the date of receipt of a copy of this order.

No costs.

Index : Yes /No

Speaking / Non-speaking

Neutral Citation : Yes / No

gsk

31.07.2024



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N.SATHISH KUMAR, J.

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To

The Sub Registrar,
Office of the Sub-Registrar,
Hosur Taluk, Krishnagiri District.

W.P.No.21499 of 2024

31.07.2024