



WEB COPY



W.P.No.22701 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.08.2024**

CORAM

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P.No.22701 of 2024

Duraikannu

... Petitioner

Vs.

1. The Sub Registrar,
Aragandanallur,
Villupuram District.

2. The Thasildar,
Kandachipuram Taluk,
Villupuram District.

3. Kannan

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned order in Refusal No. RFL/Aragandanallur/56/2024, dated 02.07.2024 on the file of the first respondent and quash the same and further direct the first respondent to register the release deed presented in TP No. 185916035/2024.

For Petitioner : Mr.S.C.Vishwanth

For Respondent : Mr.M.Shahjahan
Nos.1 and 2 Special Government Pleader

- - - - -



W.P.No.22701 of 2024

WEB COPY

ORDER

The petitioner herein challenges the order passed by the first respondent refusing to register the Sale Deed presented for registration.

2. According to the petitioner, the subject property covered by the release deed belongs to his father namely, Pondu Konar, in Patta No.506. After death of Pondu Konar, the siblings of the petitioner executed the release deed dated 05.06.2024 in favour of the petitioner. The said release deed was presented for registration before the first respondent and the same was refused for registration by the first respondent on the ground that Patta No.506 issued in favour of Pondu Konar was sought to be cancelled by one Kannan. Based on his application, the Tahsildar recommended the Revenue Divisional Officer concerned for cancellation of patta.

3. It is not the case of the first respondent that patta issued in favour of the petitioner's father Pondu Konar is already cancelled by the competent authority. Some body objected the issuance of patta in favour of Pondu Konar before the Tahsildar and the Tahsildar made his recommendation for the cancellation of patta. There is no prohibitory orders restraining the first



W.P.No.22701 of 2024

respondent from registering the document covered by the patta. In such circumstance, the first respondent is not justified in refusing to register the document. Hence, the impugned order dated 02.07.2024 is quashed and the petitioner is directed to re-present the document for registration before the first respondent. On such re-presentation, the first respondent shall register the same, if it is otherwise in order.

With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

23.08.2024

asi

To

1. The Sub Registrar,
Aragandanallur,
Villupuram District.
2. The Thasildar,
Kandachipuram Taluk,

Villupuram District.



WEB COPY



W.P.No.22701 of 2024

S. SOUNTHAR, J.

asi

W.P.No.22701 of 2024

23.08.2024