



W.P.No.26583 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2024

CORAM

THE HON'BLE **MS.JUSTICE P.T.ASHA**

W.P.No.26583 of 2024
and
W.M.P.No.29095 of 2024

G.Suresh

... Petitioner

Vs.

The Sub-Registrar,
Office of the Sub Registrar,
Gudiyatham,
Vellore District.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to impugned order passed by the respondent in Refusal Check Slp No.RFL/Guidyatham/30/2024 dated 21.08.2024, thereby refusing to register the document and quash the same as illegal, incompetent and without jurisdiction and further direct the respondent to register the Partition Deed dated 20.08.2024 presented by petitioner.

For Petitioner : Mr.S.Arivazhagam

For Respondent : Mr.C.Meera Arumugham
Additional Government Pleader



W.P.No.26583 of 2024

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ORDER

This Writ Petition has been filed for a Certiorarified Mandamus to call for the records pertaining to impugned order passed by the respondent in Refusal Check Slip No.RFL/Guidyatham/30/2024 dated 21.08.2024, thereby refusing to register the document and quash the same as illegal, incompetent and without jurisdiction and further direct the respondent to register the Partition Deed dated 20.08.2024 presented by petitioner.

2. Aggrieved by the Refusal Check Slip dated 21.08.2024, the Petitioner is before this Court. The Petitioner's sisters had executed a Release Deed on 09.02.2018 in favour of the Petitioner and his brother who had thereafter executed a partition between themselves. This Partition Deed dated 21.08.2024 was presented for registration before the Respondent who had refused to register the same stating that the Release Deed which is a Parent Document does not describe the boundaries. sub division, town survey no, flat no etc.

3. Heard the learned counsel on either side.

4. The total non-application of mind on the part of the Respondent is



W.P.No.26583 of 2024

clearly evident from the fact that the Release Deed clearly describes that it is a 3/5th Share that has been released. Therefore, the question of Document not describing the boundaries. sub division, town survey no, flat no etc. does not arise.

5. Therefore, the Writ Petition is allowed. Accordingly, the Impugned Refusal Check Slip is quashed by directing the Respondent to register the document within a period of two (2) weeks from the date of representation of the document. No costs. Consequently, connected Miscellaneous Petition is closed.

29.11.2024

Index : Yes/No
Speaking/Non-speaking Order
Neutral Citation : Yes/No
rgm

To

The Sub-Registrar,
Office of the Sub Registrar,
Gudiyatham,
Vellore District.

P.T.ASHA, J.



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W.P.No.26583 of 2024

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