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W.P.No.32432 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.32432 of 2024

Syedbee

... Petitioner

Vs.

1.The District Registration Office
Ranipet Collector Office,
Ranipet, Ranipet District

2.The Sub Registrar
Office Of The Sub Registrar,
Arakonam, Vellore District.

3.A.Thilshath

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned Refusal Check Slip No.RFL/Arankonam / 62 / 2024 dated 19.08.2024 issued by the respondent herein quash the same and consequently direct the respondent herein to register the Settlement Deed dated 19.08.2024 executed by petitioner to and in favour of his son Khadher within a stipulated period and pass such further or other orders as this Hon'ble Court may deem fit and proper.



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For Petitioner : M/s.R.Saritha
For Respondents :M/s.M.Shahjahan, Special GP,
for R.1 & R.2

ORDER

The Writ Petition is filed to call for the records relating to the impugned Refusal Check Slip No.RFL / Arankonam / 62 / 2024 dated 19.08.2024 issued by the respondent herein quash the same and consequently direct the respondent herein to register the Settlement Deed dated 19.08.2024 executed by petitioner in favour of his son Khadher within a stipulated period.

2. The case of the petitioner is that she is the absolute owner of the property bearing Plot No.47 comprised in S.No.124/B, New No.124/A1A1A1 situate at MNR layout Arikalapadi Village, Arakonam Taluk, Ranipet District measuring an extent of 1000 sq.ft. comprised in Punja Survey Nos.123/2A, 2B & 124/3,4,5,6. She had purchased the same from one M.E.Indraprakash, represented by his power agent Mr.Nagoor Meeran under a registered sale deed dated 28.03.2003 and she has been in possession and enjoyment of the same. The petitioner had executed a settlement deed dated 19.08.2024 settling the aforesaid property in favour



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of her son and presented the same for registration before the 2nd respondent herein. By the impugned order dated 19.08.2024, the 2nd respondent had refused to registered the sale deed on the ground of double entry. It is then that the petitioner came to learn that the very same vendor through his power agent had executed a registered sale deed on 19.06.2007, in favour of the 3rd respondent, in respect of the very same property that had been sold by him to the petitioner in the year 2003. Aggrieved by the same, the petitioner is before this Court.

3. Heard the counsel on either side.

4. The 2nd respondent is bound to register the document presented for registration unless it falls within the criteria set out in Section 22-A of the Registration Act. Even, in the instant case, the document which has been put forth to deny the registration is a sale deed which has been executed by the petitioner's vendor after he had sold the property to the petitioner and after he had divested himself of all the rights to the property in question. Therefore, in the light of the above, the Writ Petition is allowed. The impugned refusal check slip dated 19.08.2004 is set aside and the 2nd respondent is directed to register the settlement deed dated



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19.08.2024 within a period of two weeks from the date of its representation

by the petitioner. No costs.

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(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The District Registration Office
Ranipet Collector Office,
Ranipet, Ranipet District

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Office Of The Sub Registrar,
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P.T. ASHA. J.,

(shr)

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