



WEB COPY **instead of :-**

*"3. Though the Writ Petition is filed for the disposal of the appeal, the Judgment passed by this Court in **Ramayee vs. The Sub Registrar and Others**, 2020 (6) CTC 697 and in **P.Pappu vs. The Sub Registrar** in W.A.No.1160 of 2024, dealt with the rights of the Registering Authority to refuse registration and has held that the right is restricted only to verify the execution and identity and that refusal can be made if the documents falls within the circumstances set out in Section 22A of the Registration Act, 1908. The reason does not fall under any of the categories set out in Section 22A of the Registration Act, 1908.*

4. Therefore, the Writ Petition is allowed. Accordingly, the Impugned Order dated 23.08.2024 is set aside and the Respondents are directed to register the documents within a period of two (2) weeks from the date of its representation by the Petitioner. No costs. Consequently, connected Miscellaneous Petition is closed. ."

3. In all other aspects, the earlier order dated 13.11.2024 shall remain unaltered.

4. The Registry is directed to issue a fresh corrected copy of the order to the parties.

16.12.2024



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P.T.ASHA, J.,

rgm

W.P.No.33235 of 2024
and
W.M.P.No.36023 of 2024



WEB COPY



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16.12.2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

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

W.P.No.33235 of 2024

and

W.M.P.No.36023 of 2024

1. Govindasamy
2. Punithalakshmi

... Petitioners

Vs.

1. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
2. The Tahsildar,
Karimangalam Taluk,
Dharmapuri District.
3. Muralidharan.
4. Ramakrishnan.
5. Senthilkumar.

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6. Subramani.

7. Rajeswari.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus to direct the 1st Respondent herein to dispose of the Petitioner's Appeal dated 02.09.2024 filed challenging the Proceedings dated 23.08.2024 passed in Pa.Mu.3411/22-23-A1 on the file of the 2nd Respondent.

For Petitioner : Mr.K.Govi Ganesan

For Respondents :

For R1 to R3 : Mr.A.Selvendran

Special Government Pleader

For R4 : Mr.A.Saravanan

ORDER

This Writ Petition has been filed for a Mandamus to direct the 1st Respondent herein to dispose of the Petitioners Appeal dated 02.09.2024 filed challenging the Proceedings dated 23.08.2024 passed in Pa.Mu.3411/22-23-A1 on the file of the 2nd Respondent.

2. The Writ Petition is filed for the following relief:-

The appeal is filed challenging the order passed by the 2nd Respondent dated 23.08.2024, wherein the 2nd Respondent has included the names of the Respondents 3 to 7 as Joint pattadhars for the Patta of the Petitioner bearing Nos. 2005 and 2006. Admittedly, the said order has been passed without



notice to the Petitioners whose names have been shown as the Original Pattadhars.

3. Though the Writ Petition is filed for the disposal of the appeal, the Judgment passed by this Court in **Ramayee vs. The Sub Registrar and Others**, 2020 (6) CTC 697 and in **P.Pappu vs. The Sub Registrar** in W.A.No.1160 of 2024, dealt with the rights of the Registering Authority to refuse registration and has held that the right is restricted only to verify the execution and identity and that refusal can be made if the documents falls within the circumstances set out in Section 22A of the Registration Act, 1908. The reason does not fall under any of the categories set out in Section 22A of the Registration Act, 1908.

4. Therefore, the Writ Petition is allowed. Accordingly, the Impugned Order dated 23.08.2024 is set aside and the Respondents are directed to register the documents within a period of two (2) weeks from the date of its representation by the Petitioner. No costs. Consequently, connected Miscellaneous Petition is closed.

13.11.2024

Index : Yes/No
Speaking/Non-speaking Order



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Neutral Citation : Yes/No
rgm

P.T.ASHA, J.

rgm

To

1. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
2. The Tahsildar,
Karimangalam Taluk,
Dharmapuri District.

W.P.No.33235 of 2024
and
W.M.P.No.36023 of 2024

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13.11.2024