



WP.No.34247 of 2024

In the High Court of Judicature at Madras

Dated : 22.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.34247 of 2024

L.Chinnathambi

...Petitioner

Vs

1.The District Registrar,
District Registrar Office,
Kallakurichi District.

2.The Sub-Registrar,
Vadakkanandal SRO Office,
Kallakurichi District.

3.R.Anbazhagi

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the second respondent in Interruption Application No.2/2024 dated 24.6.2024, quash the same and direct the second respondent to register the sale deed pending in doc.No.P4/2024 dated 07.5.2024.

For Petitioner : Mr.T.Balachandran
For R1 & R2 : Mr.B.Vijay, AGP



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ORDER

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This writ petition has been filed for the following relief :

"a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the second respondent in Interruption Application No. 2/2024 dated 24.6.2024, quash the same and direct the second respondent to register the sale deed pending in doc.No.P4/2024 dated 07.5.2024."

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader accepting notice for respondents 1 and 2.

3. The case of the petitioner is as follows :

(i) The petitioner, who claims to be a scheduled tribe and is engaged as an agricultural cooli, purchased the property in S.No. 189/7C measuring an extent of 60 cents situated at Kariyalur Village, Kalvarayan Malai Taluk, Kallakurichi District from one Mr.P.Ranjith and one Mr.S.Senthilkumar vide sale deed dated 07.11.2023 registered as doc.No.3239 of 2023 on the file of the second respondent. The petitioner has also been issued patta No.591 in respect of the said property.

(ii) Since the petitioner was facing financial difficulties, he sold



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the said property to one Mr.Ravikumar, who also belongs to the same scheduled tribe. When the sale deed dated 07.5.2024 was presented for registration, the second respondent also received the same. However, the third respondent submitted an objection stating that the boundaries have been wrongly mentioned. Consequently, by the impugned order in Interruption Application No.2/2024, the second respondent refused to register the document presented by the petitioner. Hence the writ petition.

4. The petitioner purchased the said property under the sale deed dated 07.11.2023. In the document now presented for registration, the schedule of property has been described as comprised in ayan punjai S.F.No.189/7C measuring 0.50.5 acres (acre 1.25 cents) and in this agricultural land, the portion measuring 20 cents out of 60 cents in patta No.591 is sold with the following boundaries : west by the temporary service centre of the Village Administrative Officer's office; east by the land belonging to the third respondent and others; south by the remaining portion of the land belonging to the petitioner and north by odai.

5. From the description of property as given in the sale deed now presented for registration, it is clear that the property now being



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sold by the petitioner is only 20 cents out of 60 cents that has been purchased by the petitioner from the said Mr.P.Ranjith and the said Mr.S.Senthilkumar. The patta number has also been shown as 591, which is the patta that had been assigned in the name of the petitioner after purchase. The boundaries in east, west and north remain the same and the south boundary is shown as the petitioner's remaining land since only an extent of 20 cents on the north is being alienated. Therefore, the ground taken by the second respondent that the boundaries have been wrongly mentioned cannot be countenanced.

6. Accordingly, the writ petition is allowed, the impugned refusal check slip is quashed and the second respondent is directed to register the document presented by the petitioner within a period of two weeks from the date of its representation. No costs.

22.11.2024

To

- 1.The District Registrar,
District Registrar Office,
Kallakurichi District.
- 2.The Sub-Registrar,
Vadanganambal SRO Office,
Kallakurichi District.

RS



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P.T.ASHA,J

RS

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