



W.P.No.33192 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2024

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 33192 of 2024

Kalliyammal

...Petitioner

Vs.

The Sub Registrar

Office of the Sub Registrar,

Sendamangalam, Namakkal District.

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus to call for records of the respondent relating to impugned order / refusal check slip in no. RFL / Sendamangalam/ 145/ 2024 dated 27.09.2024 to quash the same and consequently direct the respondent to forthwith register the sale deed dated 18.09.2024 without insisting on production of any further documents.



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W.P.No.33192 of 2024

For Petitioner : Mr. S.Sheik Ismail
For Respondent : Mr. M.Shahjahan
Special Government Pleader.

ORDER

Challenging the refusal check slip issued by the respondent herein, the petitioner has filed the above Writ Petition to quash the said order and consequently direct the respondent to register the sale deed dated 18.09.2024, without insisting on any further documents.

2. The petitioner and the other owners of the property which is the subject matter of the sale deed had executed a sale deed in favour of one M.Karthikeyan and C.Shankar, in respect of their 1/3rd share of the property. The said document was presented before the respondent on 18.09.2024. However, instead of registering the same, the respondent had demanded the production of the parent document.



W.P.No.33192 of 2024

Aggrieved by the same, the petitioner is before this Court.

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3. Heard the learned counsels on the either side and perused the records.

4. Despite several orders passed by this Court stating that the registering authority should not refuse registration for the want of parental document, registering authorities continue to pass the same order. The case on hand is one such instance.

5. Section 22 – A of the Registration Act, which is inserted by Tamil Nadu Act 48 of 1997, sets out the grounds under which the Sub Registrar could refuse the registration. The reason that is given in the impugned order does not come within the four corners of the grounds given in Section 22 A of the Act. Therefore, the impugned order is not sustainable. The respondent is duty bound to register the



W.P.No.33192 of 2024

document.

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6. Accordingly, the Writ Petition is allowed. The impugned order dated 27.09.2024 is quashed. The Respondent is directed to register the document within a period of 2 weeks, from the date of the same being re-presented. No costs.

12.11.2024

Index : Yes/No
Internet : Yes/No
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W.P.No.33192 of 2024

To

The Sub Registrar
Office of the Sub Registrar,
Sendamangalam, Namakkal District.



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W.P.No.33192 of 2024

P.T. ASHA, J,

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W.P.No. 33192 of 2024



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W.P.No.33192 of 2024

12.11.2024