



W.P.No. 34060 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 34060 of 2024

R. Maheshkumar

...Petitioner

Vs

1. The District Registrar (Administration)-cum-
The Assistant Inspector General of Registration,
Office of the District Registrar,
Coimbatore – 641 018

2. The Sub-Registrar,
Sub-Registrar Office,
Annur

3. The Tahsildar,
Taluk Office, Annur

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus calling for the records from the 2nd respondent relating to the refusal order dated 01.02.2024 in ref. No.RFL/Annur/3/2024 and quash the same and consequently direct the 2nd respondent to register the pending Document in



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P/Annur/19/2023 by fixing the guideline value for the subject property in the said document and to return the document to the petitioner after due registration.

For Petitioner : Mr.T.Saikrishnan
For Respondents 1 to 3 : Mr.M.Shahjahan
Special Government Pleader

ORDER

The Writ Petition is filed to quash the impugned Refusal Check Slip No.RFL/Annur/3/2024 dated 01.02.2024 and consequently direct the second respondent to register the document submitted by the petitioner vide his representation dated 03.02.2023.

2. The case of the petitioner is that his great grandfather one Dodda Thirumappa Gowder owned certain properties in Survey Nos.161, 163, 164, 165 and 166 at Kuppanur Village, Annur Taluk. After his demise, the properties devolved on his legal heirs, of whom,



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the petitioner's father is his son. The petitioner's father was stated to have died on 14.02.2014 leaving behind his wife, his three daughters and the petitioner herein. Accordingly, the property owned by his father was inherited by his children, which includes the petitioner herein. Be that as it may, one of his sister had laid a suit for partition and that came to be decreed based on a joint compromise memo entered between them and in the partition, the petitioner was allotted a property in Survey No.163 of Kuppanur Villave, Annur Taluk. Thereafter, the petitioner approached the second respondent for registering the said decree, vide his representation dated 03.02.2023, but that was kept pending in File No.P1/Annur/19/2023, and the reason stated by the second respondent was that the guideline value for the said property was shown as 'Zero Value'. To ascertain the genuineness of the patta of the subject property, the second respondent called for a report from the Tahsildar, Annur Taluk, the third respondent herein. But without waiting for the report from the third respondent and without verifying the documents and revenue records submitted by the



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petitioner, the second respondent issued the impugned refusal order vide RFL/Annur/3/2024 on 01.02.2024. In the meantime, the Tahsildar, Annur Taluk also submitted his report dated 25.04.2024, stating that the property in question belongs to the petitioner and necessary patta has been issued. According to the petitioner, he submitted a representation to the second respondent on 18.06.2024 and the same was received at his office on 20.06.2024, but no action has been taken till date. Hence, the petitioner is before this Court.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondent.

4. In the light of the Judgement passed by this Court in ***Ramayee - Vs - The Sub Registrar and others - (2020 (6) CTC 697)***, the impugned order cannot be sustained. That apart a report has now been received from the Tahsildar, Annur Taluk that patta has been issued to the petitioner.



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5. The Writ Petition is allowed. The second respondent is directed to consider the representation of the petitioner and return the document so produced by the petitioner after due registration, and the said exercise shall be completed within a period of 2 weeks from the date of receipt of a copy of this order. No costs.

21.11.2024

Index: Yes/No
Speaking order/non-speaking order
Neutral Citation: Yes/No
srn

To,

1. The District Registrar (Administration)-cum-
The Assistant Inspector General of Registration,
Office of the District Registrar,
Coimbatore – 641 018
2. The Sub-Registrar,
Sub-Registrar Office,
Annur
3. The Tahsildar,
Taluk Office,

5/7



Annur

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P.T.ASHA, J.,

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