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WP.No.35429 of 2024

In the High Court of Judicature at Madras

Dated : 29.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35429 of 2024

S.Manimaran

Vs

...Petitioner

1.The District Registrar,
Salem, Salem District.

2.The Sub-Registrar,
Tharamangalam,
Salem District.

3.S.Dhanapal

...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 order passed by the first respondent in Na.Ka.No.5665/E4/2022 dated 30.7.2024 and the refusal order passed by the second respondent in Document No.P/Tharamangalam/35/2024 dated 15.7.2024, quash the same and direct the second respondent to register the settlement deed dated 15.7.2024.

For Petitioner : Mr.J.Franklin
For R1 & R2 : Ms.C.Meera Arumugam



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ORDER

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Challenging the check slip issued by the second respondent dated 15.7.2024 refusing to register the settlement deed presented by the petitioner on the ground that the representation given by the third respondent is pending and the proceedings of the first respondent dated 30.7.2024 and for a direction to the second respondent to register the document presented, the petitioner is before this Court.

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

3. This Court has, time and again, issued instructions to the Registering Authorities to act within the confines of the powers conferred under the Indian Registration Act. On a perusal of the papers enclosed with the affidavit filed in support of the writ petition, it is seen that the third respondent simply submitted an appeal and beyond that, there is no order impeding the registration of the document presented by the petitioner.



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4. Accordingly, the writ petition is allowed, both the proceedings of the first respondent dated 30.7.2024 and the refusal check slip issued by the second respondent dated 15.7.2024 are set aside and the second respondent is directed to register the settlement deed presented by the petitioner within a period of two weeks from the date of receipt of its representation. No costs.

29.11.2024

To

1.The District Registrar,
Salem, Salem District.

2.The Sub-Registrar,
Tharamangalam,
Salem District.

RS



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P.T.ASHA,J

RS

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