



W.P.No. 34845 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 34845 of 2024

P.Sivakumaran

... Petitioner

Vs

The Sub Registrar,
Arakandanallur Sub Registrar Office,
Kallakuruchi District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus Calling for the records relating to the proceedings of the respondent made in Refusal No. RFL / Aragandanallur / 101 /2024 dated 29.10.2024 quash the same and direct the respondent to register the settlement deed within the time stipulated by this Court.



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For Petitioner : Mr.M.Devaraj

For Respondent 1 to 3 : M/s.C.Meera Arumugham
Additional Government Pleader

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ORDER

Challenging the refusal check slip issued by the respondent refusing to register the Settlement Deed dated 29.10.2024, the petitioner is before this Court.

2. The reason for the refusal is that an order of interim stay has been granted by this Court in C.M.P.No.16515 of 2023 in A.S.No.471 of 2023.

3.A perusal of the Settlement Deed dated 29.10.2024, which is the subject matter of the refusal check slip, clearly indicates that what is sought to be settled is only the 1/3rd share that the settlor has obtained in the preliminary decree in O.S.No.56 of 2016 on the file of the



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District Court, Villupuram. The Settlement Deed also refers to the first appeal now pending before this Court in A.S.No.471 of 2023. What has been stayed by this Court is only the passing of the final decree and there is no order preventing the registration.

4. Accordingly, the writ petition is allowed and the impugned order dated 29.10.2024 is set aside. The respondent is directed to register the Settlement Deed dated 29.10.2024, within a period of 2 weeks from the date of receipt of a copy of this order. No costs.

26.11.2024

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

The Sub Registrar,
Arakandanallur Sub Registrar Office,
Kallakuruchi District



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P.T.ASHA, J.,

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