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WP.No.35076 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.35076 of 2024

T.Ramesh

...Petitioner

Vs

The Sub-Registrar, Mannargudi,
Tiruvarur District.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records relating to the refusal check slip dated 10.9.204 issued by the respondent vide refusal number RFL/Mannargudi_Nagapattinam/195/ 2024 and quash the same with a consequential direction directing the respondent to register the settlement deed dated 16.7.2024 presented on 10.9.2024 for registration in TP/188100317/2024 within the time frame as may be fixed by this Court.

For Petitioner : Mr.S.Senthil
For Respondent : Ms.C.Meera Arumugam, AGP



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ORDER

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Challenging the refusal check slip issued by the respondent dated 10.9.2024 and seeking a consequential direction to the respondent to register the settlement deed dated 16.7.2024, the petitioner is before this Court.

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

3. The case of the petitioner is as follows :

(i) The petitioner acquired the property in ward No.1, block No.51, Mannargudi Town comprised in T.S.No.3062/3 measuring an extent of 1,291 sq.ft by way of purchase on 25.7.2023 registered as doc.No.3891 of 2023 on the file of the respondent. Ever since the date of purchase, he is in absolute possession and enjoyment of the said property. The revenue records were also mutated in the name of the petitioner. In respect of the said property, the petitioner executed a settlement deed dated 16.7.2024 in favour of his wife. When the said settlement deed was presented for registration by enclosing all the requisite documents, the respondent refused to register the same and issued the impugned refusal check slip.

(ii) The reason for refusal is that the patta has been changed on



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the basis of a fake documents, that the patta has been set aside by the Revenue Divisional Officer, Mannargudi on 12.1.2024 and that since the parent document describes the land as comprised in T.S.No. 3062/2, the cancellation renders the same as a fake document. Hence, the petitioner is before this Court.

4. It is the specific contention of the petitioner that the property, which is the subject matter of the proceedings before the Revenue Divisional Officer, Mannargudi dated 12.1.2024, is not the property, which is the subject matter of the present settlement deed. According to the petitioner, the property, which is the subject of the instant settlement deed, is comprised in T.S.No.3062/3 whereas the property, which is the subject matter of dispute before the Revenue Divisional Officer, Mannargudi is only in T.S.No.3062/2.

5. Taking note of the above facts, the writ petition is allowed, the impugned refusal check slip is set aside and the respondent is directed to register the settlement presented by the petitioner within a period of two weeks from the date of its representation. No costs.

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P.T.ASHA,J

RS

To
The Sub-Registrar, Mannargudi,
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