



WP.No.36304 of 2024

In the High Court of Judicature at Madras

Dated : 06.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.36304 of 2024

T.Dharmalingam

Vs

...Petitioner

The Sub-Registrar, Ulundurpettai
Registrar Office, Kallakurichi
District.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the record pertaining to the impugned order bearing refusal number : RFL/ Ulundurpettai/122/2024 dated 04.10.2024 passed by the respondent, quash the same as illegal and subsequently issue a Mandamus directing the respondent to register the petitioner's document bearing temporary No.TP/195213066/2024.

For Petitioner : Mr.G.Ranganathan
For Respondent : Mr.B.Vijay, AGP

ORDER



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Challenging the refusal check slip issued by the respondent dated 04.10.2024 refusing to register the sale deed presented by him, 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 contention of the petitioner is that he intended to purchase the properties in S.No.141/6 measuring 0.13.50 Ares and S.No. 140/12 measuring 0.03.00 Ares situated at U.Keeranur Village, Ulundurpettai Taluk, Kallakurichi District from one Mrs.Rukmaniammal, W/O Mr.Kannan and one Mr.Kuberan, S/O Mr.Kannan for a valid sale consideration. The vendors of the petitioner appointed one Mr.A. Muruganandham as their power agent under a general power of attorney deed registered as doc.No.2228 of 2024 on the file of the respondent. The said power agent executed a sale deed dated 28.10.2024 on behalf of his principals in favour of the petitioner. When the said sale deed dated 28.10.2024 was presented for registration, the respondent refused to register the same on the ground that an objection is pending. Hence the writ petition.



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4. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record and more particularly the impugned order.

5. The impugned order does not provide any details of the objection petition. Further, the objector has not obtained any orders from the Court prohibiting registration. The Registering Authority does not have any power to refuse to register the document unless it is prohibited by a competent civil court as provided under Rule 55 of the Tamil Nadu Registration Rules. Therefore, the refusal by the respondent is totally illegal.

6. Accordingly, the writ petition is allowed, the impugned refusal check slip is quashed and the respondent is directed to register the sale deed presented by the petitioner within two weeks from the date of its representation. No costs.

06.12.2024

To
The Sub-Registrar, Ulundurpettai
Registrar Office, Kallakurichi
District.

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P.T.ASHA,J

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