



WEB COPY

W.P. No.35716 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.35716 of 2023 and
W.M.P. Nos.35698 and 35699 of 2023

- 1.Smt.Vaijyanthi
2. Smt.Anandi
3. Smt.Artheeswari
4. Smt.Akshaya
5. P.Anandan

... Petitioners

Vs.

1. The Inspector General of Registration
Government of Tamil Nadu
No.100, Santhome High Road
Chennai - 600 028
2. The Sub Registrar
O/o.Sub Registrar
Kilpennathur
Tiruvannamalai District- 604 601

3. Smt.Kamalaveni

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to Call for the records of the impugned order bearing Refusal Number.RFL/Kilpennathur/98/2023 dated 22.11.2023 and impugned order bearing Objection petition No.74 of 2023 dated 22.11.2023, on the file of the 2nd Respondent and quash the same and consequently direct the 2nd respondent to register the Release Deed dated 22.11.2023 presented by the petitioners.



For Petitioners : Mr.S.Udhayakumar

For Respondents : Ms.Akila Rajendran
Government Advocate for R1 and R2

ORDER

This Writ Petition is filed seeking a Writ of Certiorarified Mandamus to Call for the records of the impugned order bearing Refusal Number.RFL/Kilpennathur/98/2023 dated 22.11.2023 and impugned order bearing Objection petition No.74 of 2023 dated 22.11.2023, on the file of the 2nd Respondent and quash the same and consequently direct the 2nd respondent to register the Release Deed dated 22.11.2023 presented by the petitioners.

2. The learned counsel for the petitioners submitted that even though the petitioners produced the Patta stands in their names, the 2nd respondent has refused to register the document and passed the impugned refusal check slip. Hence, the petitioners are constrained to file this writ petition.

3. Heard both sides and perused the materials available on record.



4. A careful reading of the impugned refusal check slip shows that the 2nd respondent has only directed to re-present the document along with the document of title. The petitioners, instead of producing the document of title before the 2nd respondent and re-presenting the document for registration, have filed the present writ petition before this Court. The impugned order is only a refusal check slip and it is not a final order. Therefore, the writ petition is not maintainable.

5. If the petitioner is aggrieved by the impugned refusal check slip, he can file an appeal before the 1st respondent or after complying with the conditions of the 2nd respondent, the petitioner shall re-present the document before the 2nd respondent, for registration.

6. With the above observations, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition in W.M.P. No.35699 of 2023 is closed. W.M.P. No.35698 of 2023 is ordered subject to payment of separate Court fee by the other petitioners.

02.01.2024

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Index : Yes / No
Neutral Citation Case : Yes/No



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To

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2. The Sub Registrar
O/o.Sub Registrar
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P.VELMURUGAN. J.

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