



WEB COPY



W.P.No.37254 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.37254 of 2024
and
W.M.P.No.40270 of 2024

1.Perumal
2.P.Viajayalakshmi
3.K.Amudhavalli
4.P.Latha
5.P.Savithri
6.P.Valarmathi

... Petitioners

Vs.

The Sub Registrar,
The Joint Sub Registrar I,
The Office Of Sub Registrar,
Krishnagiri Taluk And District.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, call for the records leading to the impugned refusal check slip No. RFL/1 Joint Sub Registrar Krishnagiri/66/2024 dated 05.08.2024 issued by the respondent and quash the same and consequently direct the respondent to register the partition deed dated 19.07.2024 presented for registration.



For Petitioner : M/s.C.Jagadish

For Respondents : M/s.B.Vijay, AGP.
for sole respondent

ORDER

The Writ Petition has been filed seeking to quash the impugned refusal check slip issued by the respondent and direct the respondent to register the partition deed dated 19.07.2024.

2. The main grievance of the petitioners is that when the petitioners had presented the partition deed dated 19.07.2024 before the respondent for registration, the respondent had refused to register the same and issued a refusal check slip stating as follows:-

*“The defects contained therein has to be rectified
and the document represented.”*

3. Though the refusal check slip would talk about certain defects, the impugned order does not contain any details about the shortcomings and the petitioner is clueless about what has to be rectified. Therefore, the petitioners are before this Court.



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4. Heard the counsels on either side.

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5. Considering the fact that the reasons for the refusal have not been clearly spelled out, the same cannot be considered as a valid refusal. Therefore, the Writ Petition is allowed. The impugned refusal check slip dated 05.08.2024 is set aside. The respondent is directed to register the partition deed dated 19.07.2024 within a period of 2 weeks from the date of its representation by the petitioners. No costs. Consequently, the connected Miscellaneous Petition is closed.

11.12.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The Sub Registrar,
The Joint Sub Registrar I,
The Office Of Sub Registrar,
Krishnagiri Taluk And District.



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P.T. ASHA. J.,

(shr)

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