



W.P.(MD)No.1392 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 24.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P.(MD)No.1392 of 2024

and

W.M.P.(MD)No.1435 of 2024

N.Senthilkumar

...Petitioner

/Vs./

The Sub Registrar,
Aruppukkottai,
Virudhunagar District.

...Respondent

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Refusal Check Slip dated 12.01.2024 in RFL/Aruppukkottai/1/2024 issued by the respondent and quash the same as illegal and consequently direct the respondent to register the Sale deed dated 12.01.2024 executed by the petitioner in favour of one Mr.R.Sankarsubbu on representation if otherwise in order, within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.A.Mohan

For Respondent : Mr.C.Satheesh

Government Advocate



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ORDER

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This writ petition has been filed challenging the impugned Refusal Check Slip dated 12.01.2024 in RFL/Aruppukkottai/1/2024 issued by the respondent and seeking for a further direction to the respondent to register the sale deed dated 12.01.2024 executed by the petitioner in favour of one Mr.R.Sankarsubbu on representation if otherwise in order.

2. The case of the petitioner is that the subject properties originally belonged to the father of the petitioner, who died on 27.12.2022 leaving behind the petitioner, his brother and his sister as legal heirs. According to the petitioner, during the lifetime of his father, he has bequeathed the subject properties in favour of the petitioner. Since then, the petitioner has been in possession of the same. He has also been issued with patta. In order to sell the subject properties, the petitioner has executed a sale deed dated 12.01.2024 in favour of one R.Sankarsubbu and when it was presented before the respondent, with all supporting documents, the respondent issued the refusal check slip dated 12.01.2024 stating that will is an unregistered document and it requires a probate. Aggrieved over the same, the present writ petition has been filed.



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6. Considering the facts and circumstances of this case, the petitioner is at liberty to produce all the necessary documents, such as copy of the compromise dated 23.09.2010 on the file of the District Munsif Court, Aruppukkottai, legal heirship certificate and patta, before the respondent to enable him/her to register the sale deed. On receipt of the same, the respondent is directed to verify those documents and register the sale deed, if it is otherwise in order, within a period of sixteen (16) weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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TO:-
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The Sub Registrar,
Aruppukkottai,
Virudhunagar District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P(MD)No.1392 of 2024

Dated:
24.01.2024