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W.P.(MD)No.1603 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2024

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.1603 of 2024

Bharathidasan : Petitioner

Vs.

The Sub-Registrar,
Keeranur,
Dindigul District. : Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records pertaining to the respondent in Refusal Number:RFL/கீரனூர்/32/2023 dated 17.10.2023 and quash the same as illegal, consequently direct the respondent to register the settlement deed dated 17.10.2023 presented by the petitioner for registration on 17.10.2023 in respect of the property in Survey No.206/1C for an extent of 1 acre 47 cents situated at Velampatti Village, Palani Taluk, Dindigul District within a time frame.

For Petitioner : Mr.D.Venkatesh

For Respondent No.1 : Mr.S.Shanmugavel

Additional Government Pleader



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ORDER

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This Writ Petition is filed seeking to quash the order of refusal passed by the respondent bearing reference RFL/செரூர்/32/2023 dated 17.10.2023 and for a direction to the respondent to register the settlement deed dated 17.10.2023 presented by the petitioner for registration on 17.10.2023 in respect of the property in Survey No.206/1C for an extent of 1 acre 47 cents situated at Velampatti Village, Palani Taluk, Dindigul District.

2.Heard Mr.D.Venkatesh, learned Counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government pleader who accepts notice for the respondent.

3.By consent, the main Writ Petition itself is taken up for final disposal at the admission stage itself.

4.The case of the petitioner is that the petitioner purchased an extent of 1 acre 64 ½ cents in Survey No.206/1 situate at Velampatti Village, Palani Taluk, through a registered sale deed dated 12.10.1992 in Document No.832/1992, on the file of the respondent. The said survey number came to be sub-divided as Survey Nos.206/1B & 206/1C. The petitioner is also in possession of



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patta bearing Patta No.58. While that being so, the petitioner intended to settle a portion of the property namely 1 acre 47 cents in Survey No.206/1C in favour of his daughter Vallinayagi. But due to some family dispute, the petitioner's son refused to hand over the original sale deed dated 12.10.1992 to the petitioner. On 17.10.2023, when the petitioner presented the settlement deed before the respondent for registration without the original parental sale deed, the same came to be rejected with a refusal check slip bearing reference RFL/செய்து/32/2023 dated 17.10.2023. Hence, the present Writ Petition.

5.The learned Additional Government Pleader appearing for the respondent would submit that the certified copies of the supporting documents were not produced before the authorities. If the petitioner approaches the respondent with relevant certified copies of the supporting documents to prove the right over the property, the same will be considered and appropriate orders will be passed, in accordance with law.

6.In view of the above submission, this Court directs the respondent to consider the case of the petitioner in respect of registration of the Settlement Deed, dated 17.10.2023, on production of certified copies of the necessary supporting documents for



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registration of the said document and on payment of requisite stamp duty and necessary fees by the Petitioner and complete the formalities of registration and release the document/Settlement Deed, as sought for, within a period of four [4] weeks from the date of receipt of a copy of this order.

7.The Writ Petition stands disposed of, with the above direction. There shall be no order as to costs.

29.01.2024

Index :Yes / No
Internet : Yes / No
NCC : Yes/No
MR



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To
The Sub-Registrar,
Keeranur,
Dindigul District.



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V.BHAVANI SUBBAROYAN, J.

MR

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