



W.P (MD).No.2729 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).Nos.2729 of 2024

Sikkandar

...Petitioner

Vs.

The Sub-Registrar,
Paramakudi,
Ramanathapuram District.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the Impugned Refusal Check Slip in RFL/Paramakudi/14/2023 dated 03.05.2023 of the respondent and quash the same and further directing the respondent to receive and register the settlement deed dated 18.04.2023.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip, dated 03.05.2023, on the file of the respondent.



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2. The petitioner's mother had executed a settlement deed in his favour in respect of the subject property. After execution of the settlement deed, his mother passed away on 04.01.2024. Thereafter, the settlement deed dated 18.04.2023 was presented for registration before the respondent. However, the respondent refused to register the same by issuance of refusal check slip on the ground that the patta stands in the name of the settlor namely the petitioner's father. Further, the subject property is a water catchment area.

3. The duty of the Sub-Registrar has been dealt with in a detailed manner by this Court in ***W.P.11056 of 2024, dated 26.04.2024*** in the case of ***Subramani Vs. Sub-Registrar and others.***

4. Therefore, it would be appropriate to direct the respondent to conduct fresh enquiry in the light of the order passed by this Court in ***W.P. 11056 of 2024, dated 26.04.2024*** in the case of ***Subramani Vs. Sub-Registrar and others*** and pass orders on the settlement deed presented by the petitioner for registration.



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5. In view of the above, the petitioner is directed to represent the settlement deed for registration executed by his mother and on receipt of the same, the respondent is directed to conduct an enquiry in the light of the judgment of this Court in ***W.P.11056 of 2024, dated 26.04.2024*** in the case of ***Subramani Vs. Sub-Registrar and others*** and pass orders on merits and in accordance with law as expeditiously as possible after giving an opportunity of hearing to the petitioner.

6. With the above direction, the writ petition is disposed of. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

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To
The Sub-Registrar,
Paramakudi,
Ramanathapuram District.



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