



W.P.(MD)No.3498 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.3498 of 2024
and WMP(MD) No.3462 of 2024

1. M.Perumalsamy

2. P.Raja

... Petitioners

Vs

The Joint Sub-Registrar No.1,
Dindigul.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus calling for records relating to the impugned refusal check slip in RFL/Dindigul Joint 1/26/2023 dated 11.12.2023 and quash the same and consequently direct the respondent to register the Deed of Amendment, dated 11.12.2023 to the Settlement Deed, dated 10.11.2022 in Doc. No.3782/2022 executed by the 1st petitioner in favour of the 2nd petitioner within the time fixed by this Court.

For Petitioners : Mr. H.Arumugam

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 in RFL/Dindigul Joint 1/26/2023 dated 11.12.2023 and consequently direct the respondent to register the Deed of Amendment, dated 11.12.2023 to the Settlement Deed, dated 10.11.2022 in Doc. No.3782/2022 executed by the 1st petitioner in favour of the 2nd petitioner.

2.Heard learned counsel for the petitioners and the learned Government Advocate appearing for the respondent and perused the materials available on record.

3. The case of the petitioners is that when the petitioners presented the rectification deed and the same has been refused to register citing that the petitioners have not produced the revenue records ie., patta and encumbrance certificate.



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4.It is the contention of the learned counsel for the petitioners that while executing the settlement deed by the first petitioner in favour of the second petitioner, one of the S.No.364/1C has been omitted. In this regard, rectification deed has been presented. However, the same has been refused to register seeking the revenue records.

5.The learned counsel for the petitioners brought to the notice of this Court that the said S.No.364/1C is very much available in the partition deed, dated 03.11.2008, wherein, the aforesaid property is allotted to the first petitioner. Besides that the said S.No.364/1C also found in the parent deed, ie., Sale deed, dated 30.09.1998.

6.In such view of the matter, when the aforesaid S.No.364/1C was found in the parent deed, then the respondent need not insist for the revenue records. Hence, the impugned refusal check slip in RFL/Dindigul Joint 1/26/2023, dated 11.12.2023 is hereby quashed and the respondent is directed to register the Deed of Amendment, dated 11.12.2023 to the Settlement Deed, dated 10.11.2022 in Doc. No.3782/2022 executed by the 1st petitioner in favour of the 2nd petitioner



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within a period of one week from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

17.10.2024

NCC : Yes/No
Index : Yes/No
PNM
To
The Joint Sub-Registrar No.1,
Dindigul.



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N.SATHISH KUMAR, J.

PNM

ORDER IN

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