



W.P(MD)No.4118 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4118 of 2024

A.Sakthivel

... Petitioner

Vs.

1.The District Registrar,
O/o District Registrar Office,
Tirunelveli District.

2.The Sub Registrar,
O/o Sub Registrar Office,
Vallioor,
Tirunelveli District.

3.P.Asir Jebaraj

... Respondents

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 relating to the impugned refusal order passed by the 2nd respondent vide Na.Ka.No.487/2023, dated 15.11.2023, and quash the same as illegal and further direct the 2nd respondent to registrar the sale deed dated 05.09.2023 bearing Temporary Document No.P92/2023, with the time frame stipulated by this Court.



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For Petitioner : Mr.G.Anto Prince

For Respondents : Mr.D.S.Neduncheziyan,
Government Advocate for R1 & R2.

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the respondents 1 and 2.

2.The petitioner wants to purchase the petition mentioned property from the third respondent. Sale deed dated 05.09.2023 executed by the third respondent in favour of the petitioner was presented for registration. The second respondent declined to register the document. Instead the impugned refusal check slip was issued. Challenging the same, the present writ petition came to be filed.

3.As rightly pointed out by the learned counsel for the petitioner, the impugned communication is non-speaking. It is not as if any restraint order had been received from any jurisdictional Court. The copy of the patta standing in the name of the third respondent is enclosed in the typed set of papers. I am of



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view that there is absolutely no impediment whatsoever. The impugned refusal check slip is quashed. The petitioner and the third respondent are permitted to re-present the document. On receipt of the same, it shall be registered and released subject to fulfilment of other usual formalities.

4.This writ petition is allowed on these terms. No costs.

12.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1.The District Registrar,
O/o District Registrar Office,
Tirunelveli District.

2.The Sub Registrar,
O/o Sub Registrar Office,
Vallioor,
Tirunelveli District.



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G.R.SWAMINATHAN, J.

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