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W.P(MD)No.6480 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6480 of 2024

and

W.M.P.(MD)No.6062 of 2024

K.Jegatheeswaran

... Petitioner

Vs.

The Sub-Registrar,
Joint I Dindigul District,
Dindigul.

... 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 of the impugned Refusal Check Slip issued by the respondent in Refusal Number RLF/1Dindigul/4/2024 dated 15.02.2024, and quash the same as illegal and consequently direct the respondent to register the settlement deed dated 15.02.2024 submitted by the petitioner within a time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard both sides.



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2. The petitioner executed the settlement deed dated 15.0.2024 in favour of his daughter namely Vijayalakshmi. The registering authority refused registration on the ground that the property is the subject matter of the sale agreement. It is well settled that on such ground, registration cannot be refused. The Hon'ble Division Bench in the decision reported in **2020 6 CTC 697 (N.Ramayee Vs. The Sub Registrar)** had held that the registering authority cannot refuse registration on the ground that a sale agreement had already been registered in respect of the very same property.

3. Respectfully applying the aforesaid ratio, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document. It shall be received, registered and released subject to fulfillment of other usual formalities. The Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

18.03.2024

Index : Yes / No
Internet : Yes/ No
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To

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The Sub-Registrar,
Joint I Dindigul District,
Dindigul.



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G.R.SWAMINATHAN, J.

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