



W.P(MD)No.6878 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6878 of 2024

Ramu

... Petitioner

Vs.

The Sub Registrar,
Kariapatti Sub Registration Office,
Kariapatti,
Virudhunagar District.

... 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 relating to impugned Refusal letter in Na.Ka. No.61/2024 dated 14.03.2024 issued by the respondent and quash the same as illegal and unconstitutional and consequently direct the respondent to forthwith register and release the Deed of Settlement dated 14.03.2024 presented by the petitioner with reference to T.P/177107656/2024 in respect of the land comprised in S.No. 45/5 admeasuring 2.5 cents, situated at Rayarpatti Village, Arasakulam, Kariapatti Taluk, Virudhunagar District, without insisting the production of original previous document in Doc. No.163/1992 and production of Non-Traceable Certificate for the same.

For Petitioner : Mr.S.Balamurugan

For Respondent : Mr.M.Senthil Ayyanar
Government Advocate



W.P(MD)No.6878 of 2024

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ORDER

Heard both sides.

2. The petitioner has put up residence in the land measuring 2 ½ cents of land. The house is also enjoying service connection. Now the petitioner wants to settle the said property in favour of his son. The respondent had declined to entertain the document on the ground that the parent document must be produced and if it cannot be produced, non traceable certificate must be obtained. The parent document is in respect of 40 cents. 17 persons are jointly owning the said 40 cents of land. Since the petitioner is not settling 40 cents of land but only 2 ½ cents of land, no exception need to be taken.

3. In this view of the matter, 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 fulfilment of other usual formalities.

4. The Writ Petition is allowed. No costs.

25.03.2024

Index : Yes / No
Internet : Yes/ No
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W.P(MD)No.6878 of 2024

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The Sub Registrar,
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Kariapatti,
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G.R.SWAMINATHAN, J.

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