



W.P(MD)No.8016 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8016 of 2024

1.T.S.M.M.Soundarapandian

2.G.Ravindran

... Petitioners

Vs.

1.The Sub Registrar,
Ayyampalayam,
Dindigul District.

2.Gunaseelan

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records related to the impugned refusal check slip vide refusal number RFL/AYYAMPALAYAM/2/2024 dated 13.03.2024 issued by the first respondent and quash the same as illegal and consequently direct the first respondent to register the sale deed dated 12.03.2024 executed by the first petitioner in favor of the second petitioner viz Mr.G.Ravindran in respect of the schedule mentioned property within a reasonable period to be determined by this Court.



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For Petitioners : Mr.N.Dilip Kumar

For Respondents : Mrs.D.Farjana Ghoushia
Special Government Pleader for R.1

ORDER

Heard the learned counsel appearing for the writ petitioners and the learned Special Government Pleader for first respondent. The second respondent has been served and his name is printed in the cause list, he has not chosen to enter appearance.

2.The first petitioner is the seller. The second petitioner is the buyer. Sale deed dated 12.03.2024 was presented for registration before the first respondent. Registration was refused on the ground that the petition mentioned property is the subject matter of partition involving the second respondent. Challenging the refusal check slip, this writ petition has been filed.

3.It is seen that the revenue record stands in the name of the petitioners. Merely because the petition mentioned property had been shown in the partition involving the second respondent, it cannot be a ground for refusing registration of the petition mentioned sale deed.



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4.In this view of the matter, the impugned refusal check slip is quashed. The petitioners are permitted to re-present the document. It shall be registered and released by the first respondent subject to the fulfilment of the other usual formalities.

5.This writ petition is allowed accordingly. There shall be no order as to costs.

01.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

The Sub Registrar,
Ayyampalayam,
Dindigul District.



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G.R.SWAMINATHAN,J.

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