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W.P.(MD)NO.9101 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9101 of 2024 AND

W.M.P.(MD)No.8291 of 2024

P.Subramani

... Petitioner

Vs.

1. The Sub Registrar,
No.1 Joint Sub Registrar Office,
Dindigul District.

2. Anthony

... 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 pertaining to the impugned Refusal Check Slip No. RFL / 1 dated 29.12.2023 issued by the 1st respondent and quash the same and consequently directing the 1st respondent to accept the petitioner's Sale Deed for registration.

For Petitioner : Mr.A.Aruljenifer

For R-1 : Mr.B.Saravanan,
Additional Government Pleader.

For R-2 : Mr.Ajmal Khan,
Senior counsel,
for M/s.Ajmal Associates.

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ORDER

Heard both sides.

2. The petitioner is an executant of the petition-mentioned document. It was presented for registration. Citing the fact that the patta does not stand in the name of the petitioner and the pendency of the civil suit, registration was refused. Challenging the same, the present writ petition came to be filed.

3. It is true that the parties are locked in a civil litigation. That need not come in the way. So long as the second respondent had not obtained any restraint order, the registrar need not have gone by the pendency of the civil suit. But that is not the only reason assigned in the impugned order. The first respondent also pointed out that the petitioner does not have any patta in his favour.

4. It is seen that the petitioner has chosen to execute the documents on the strength of the settlement deed executed in his favour.

That may not be sufficient. I am satisfied that the first respondent has not



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arbitrarily refused registration. If the petitioner succeeds in the civil suit, his rights will necessarily abide by the outcome of the suit filed by the second respondent herein. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

The Sub Registrar,
No.1 Joint Sub Registrar Office,
Dindigul District.



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G.R.SWAMINATHAN,J.

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