



W.P(MD)Nos.12818 to 12822 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)Nos.12818 to 12822 of 2023

1.T.Murugesan

2.PR.Shanmugasundaram

... Petitioners

Vs.

1.The District Registrar,
Trichirappalli District,
Cantonment, Trichirappalli.

2.The Sub Registrar's Office,
Thiruverumbur Sub Registrar's Office,
Thiruverumbur, Trichirappalli District.

... Respondents

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal orders passed by the second respondent dated 21.04.2023 in RFL/Thiruverumbur/71/2023,RFL/Thiruverumbur/70/2023,RFL/Thiruverumbur/72/2023, RFL/Thiruverumbur/69/2023 and RFL/Thiruverumbur/73/2023 respectively quash the same and consequently, to direct the 2nd respondent to register the sale deeds dated 21.04.2023 assigned with TP/148656460/2023, TP/148661247/2023, TP/148649404/2023, TP/148655008/2023 and TP/148659524/2023 respectively presented by the petitioners in accordance with law within the time frame fixed by this Court.



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For Petitioners : Mr.K.S.Kathiravan
For Respondents : Mr.M.Siddharthan,
Additional Government Pleader
(in all W.Ps.)

COMMON ORDER

According to the petitioners, the properties in Survey Nos.90/2, 90/5 and 90/3 situated at Thirumalaisamudram Village, Srirangam Taluk, Trichy District, originally owned by Rengasamy, Balambal and Thangarasu. They had jointly executed a power of attorney in favour of one Manikandan in the year 1992. The said Manikandan, on behalf of his principals, had executed several sale deeds in favour of M.Moorthy, K.Vijaya, S.Nagalakshmi, B.Pappu and Muthulakshmi, who in turn had executed power of attorney in favour of T.Murugesan / 1st petitioner. The petitioners intended to purchase the properties in question, therefore, they presented the sale deeds before the 2nd respondent for registration. However, the 2nd respondent, vide refusal check slip dated 21.04.2023, refused the same on the ground that there was an objection received, stating that one of the principals, namely, Balambal died in the year 1996. Challenging the same, the petitioners have filed these Writ Petitions.



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2.The learned counsel appearing for the petitioners would submit that before passing the impugned orders, the 2nd respondent has not served any notice to the petitioners and has not conducted any enquiry. If the enquiry is conducted, the petitioners would satisfy their case.

3.In such view of the matter, without going into the merits of the case, the impugned orders are quashed and these Writ Petitions are allowed with a direction to the 2nd respondent to conduct enquiry with regard to the alleged objection and if the documents are otherwise in order, register the same. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order. No costs.

25.09.2024
(2/2)

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

Yuva

To

1.The District Registrar,
Trichirappalli District,
Cantonment, Trichirappalli.



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2.The Sub Registrar's Office,
Thiruverumbur Sub Registrar's Office,
Thiruverumbur, Trichirappalli District.

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