



W.P(MD)No.20426 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.20426 of 2024

Vallinayagam

... Petitioner

Vs.

The Sub Registrar,
Surandai, Tenkasi 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 entire records pertaining to the refusal slips issued against the documents, by the respondent in RFL/Surandai/12/2024, dated 12.06.2024 and RFL/Surandai/13/2024, dated 12.06.2024 and quash the same as illegal and consequently, to direct the respondent to register the documents placed before him by the petitioner in respect of Natham Survey No.608/15 in Kaluneerkulam Village, Surandai Sub Division, Alangulam Taluk, Tenkasi District.

For Petitioner : Mr.K.Ganesamoorthy

For Respondent : Mr.C.Satheesh,

Government Advocate

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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2.Mr.C.Satheesh, learned Government Advocate takes notice for the respondent.

3.According to the petitioner, the property in Natham Survey No.608/15 in Kaluneerkulam Village, Surandai Sub Division, Alangulam Taluk, Tenkasi District originally belonged to the petitioner and his brother and they jointly executed a sale deed in favour of the petitioner's son. Subsequently, the petitioner's son died in the year 2021, leaving behind the petitioner and his wife as legal heirs. Therefore, the petitioner and his wife decided to sell the property by dividing as two parts to two persons and they executed two sale deeds. When the same were presented for registration, the respondent refused to register the same through refusal check slips dated 12.06.2024, on the ground that there is a difference in the relationship between the petitioner and his son. Challenging the same, the petitioner has filed this Writ Petition.

4.At the outset, this Court of the view that when the identity of the persons is not disputed, merely on the basis of some mistakes in the earlier documents with regard to the relationship, registration cannot be refused. Therefor, the impugned refusal check slips dated 12.06.2024 issued by the



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respondent are quashed and the respondent is directed to register the sale deeds executed by the petitioner within a period of one week from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is allowed. No costs.

28.08.2024

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

Yuva

To

The Sub Registrar,
Surandai, Tenkasi District.



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