



WP(MD). No.20697 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 30/08/2024

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The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.20697 of 2024

Mohammed Tajudeen. J

... Petitioner

Vs

1. The Sub Registrar,
Sub Registrar Office,
Aranthangi Town,
Pudukkottai District..

2. Rukaiya Beevei

... Respondents

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 records pertaining to the 1st respondents order dated 16.08.2024 in refusal Refusal Slip Number. RFL/Aranthangi/8/2024 and quash the same and consequently direct the 1st respondent to register the gift settlement deed dated 09.07.2024 in favour of the petitioner in the 1st respondent office.

For Petitioner : Mr.K.Paranjothi
for M/s. Kbs Law Office,
For Respondent : Mr.P.Subbaraj
Special Government Pleader



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ORDER

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By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed challenging the order of the 1st respondents dated 16.08.2024 in refusal Refusal Slip Number. RFL/Aranthangi/8/2024 and consequently direct the 1st respondent to register the gift settlement deed dated 09.07.2024 in favour of the petitioner in the 1st respondent office.

3. The petitioner presented settlement deed dated 09.07.2024. However, the same has been refused to be registered citing the reason that the agreement for sale registered in the year 2013.

4. The very order itself is against the very rudimentary principle. The Division Bench of this Court has passed a detailed order in the case of *N. Ramayee v Sub-Registrar reported in (2020)6 CTC 697* and in *Subramani v. Sub Registrar and another [(2024) 3 MLJ 588]* to the



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effect that mere entry with regard to the sale agreement is not a bar for registration. Despite such orders and circular issued in this regard, the Sub Registrars are repeatedly doing the said act, which is highly deprecated. If any such order of the same Sub Registrar, Aranthangi, is brought to the notice of this Court, this Court will proceed against him/her for contempt of Court for violating the orders of the Division Bench and the said officer will be imposed with costs.

5. In view of the above, the impugned order of the 1st respondent is set aside and the writ petition is allowed and the first respondent is directed to register the settlement deed within a period of 15 days from the date of receipt of a copy of this order. No costs.

30.08.2024

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TO

1. The Inspector General of Registration
Chennai.

2. The Sub Registrar,
Sub Registrar Office,
Aranthangi Town,
Pudukkottai District..

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N.SATHISH KUMAR,J

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**ORDER
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