



W.P.(MD)No.22114 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.22114 of 2024

T.Senthilvel

... Petitioner

Vs.

1.The District Registrar (Administration),
District Registrar, Velu Nachiyar Valakam,
Dindigul, Dindigul District.

2.The Sub Registrar,
Sub Registrar Office,
Chinnalapatti,
Dindigul District.

3.R.Ganeshan

... 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 the records pertaining to the impugned refusal check slip issued by the second respondent herein in his proceedings in Refusal Number.R.F.L/Chinnalapatti/51/2023 dated 25.08.2023 and quash the same as illegal and consequently direct the second respondent to register the document presented by the petitioner with TP/158264796/2023 dated 25.08.2023.



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For Petitioner : Mr.S.Sarvagan Prabhu
For Respondents : Mr.P.Subbaraj (for R1 & R2)
Special Government Pleader

ORDER

Challenge has been made against the impugned refusal check slip issued by the second respondent in his proceedings in Refusal Number.R.F.L/Chinnalapatti/51/2023 dated 25.08.2023, this writ petition has been filed.

2. It is the case of the petitioner that he purchased a house site in Plot No.27 named 'Aathi Kamatchi Nagar' situated in S.Nos.33/3B, 33/4, 34/1B, 2B, 3, 39/2B1 and 39/3A at Keelakottai Village, Athoor Taluk, Dindigul District, from one G.Angalaparameswari. Thereafter, the petitioner intended to sell the said property in favour of one L.Ragunath. In this regard, when the document was presented before the second respondent for registration, the same was refused on the ground that there was double entry in respect of the subject property, whereas it is the contention of the petitioner that originally the said property owned by



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one Gunasekaran vide sale deed dated 24.09.1990. Thereafter, he executed a power of attorney in favour of one V.R.Rajendran on 02.12.1999. The said power deed was cancelled on 16.07.2008. After the cancellation of power deed, the said Rajendran has executed a sale deed in favour of the third respondent on 23.03.2009. The petitioner has purchased the said property from the original owner namely, G.Angalaparameswari, wife of Gunasekaran. Therefore, according to the petitioner, he has title over the said property and the third respondent has no right over the property.

3. Heard both sides and perused the materials available on record.

4. At the outset, the petitioner purchased the subject property from the original owner, after the cancellation of power deed. Merely because there is a double entry in respect of subject property, the registration cannot be refused. Hence, the impugned order passed by the second respondent in Refusal Number.R.F.L/Chinnalapatti/51/2023 dated 25.08.2023 is hereby quashed and this Writ Petition is allowed. The second respondent is directed to register the petition mentioned document within a week from the date of receipt of a copy of this order.



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It is for the concerned parties to establish their title before the competent civil Court by adducing property document. No costs.

17.10.2024

Index : Yes / No
NCC : Yes / No
Rmk

To

- 1.The District Registrar (Administration),
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Dindigul, Dindigul District.
- 2.The Sub Registrar,
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N.SATHISH KUMAR, J.

Rmk

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