



W.P(MD)No.22260 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.22260 of 2024

Ayisha Parveen

... Petitioner

Vs.

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Chennai - 600 028.

2.The District Registrar,
O/o.District Registrar,
Registration Department,
Thanjavur, Thanjavur District

3.The Sub Registrar,
Ayyampettai Sub Registrar Office,
Ayyampettai, Thanjavur District.

4.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Kumbakonam, Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Refusal Check Slip in Refusal Number.RFL/Ayyampettai/57/2024 dated 29.08.2024 issued by the 3rd



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respondent and quash the same as illegal, consequently, directing the 3rd respondent to register the Settlement Deed dated 27.08.2024 presented by the Petitioner.

For Petitioner : Mr.A.Abdulkabur

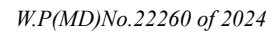
For Respondents : Mr.P.Subbaraj

Special Government Pleader

ORDER

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

2.It is the grievance of the petitioner that when she presented the settlement deed dated 27.08.2024, which is executed in favour of her daughter, namely, Sabika Noori, the 3rd respondent, vide refusal check slip dated 29.08.2024, has refused to register the same on the ground that since there is a proceeding pending before the 4th respondent with regard to the properties in question, if any document is registered, that will affect the proceedings pending before the 4th respondent. Challenging the same, the petitioner has filed this Writ Petition.



“5. When transactions in respect of the subject properties were allowed to be registered, it may not be open to the registering authority to now raise an objection based on the communication received from the jurisdictional Revenue Divisional Officer. The petitioner is permitted to re-present the sale deed in question. The registering authority will verify if the properties covered in the sale deed were the subject matter of registered sale transactions earlier. The registering authority will further verify if the petitioner's vendor's name figured in the revenue record. On being satisfied, the third respondent will register the sale deed subject to the fulfillment of the other usual formalities. I make it clear that once a document is registered, the name of the petitioner's vendor will be deleted from the patta and in his place, the name of the petitioner will be entered. The petitioner cannot have any higher right or claim than his vendor.”



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4. In such view of the matter, the impugned refusal check slip issued by the 3rd respondent dated 29.08.2024 is quashed and the 3rd respondent is directed to register the document presented by the petitioner, on verification of the name of the petitioner in the patta, 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.

20.09.2024

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

Yuva

To

1. The Inspector General of Registration,
O/o. The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Chennai - 600 028.

2. The District Registrar,
O/o. District Registrar,
Registration Department,
Thanjavur, Thanjavur District



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3.The Sub Registrar,
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N.SATHISH KUMAR, J

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