



W.P.(MD)No.24208 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24208 of 2024

and

W.M.P.(MD)No.20479 of 2024

Vallimala

... Petitioner

Vs.

The Joint Sub Registrar – I,
Karaikudi, Sivagangai District.

... Respondent

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 dated 03.08.2024 in RFL/1 No Joint Sub Registrar, Karaikudi/9/2024, along with impugned memorandum No.9/2024, dated 03.08.2024, quash the same and consequently, to direct the respondent herein to register the sale deed dated 03.08.2024 presented in favour of the petitioner by her vendors, without insisting production of original title documents.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondent : Mr.P.Subbaraj,

Special Government Pleader



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ORDER

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

2.Mr.P.Subbaraj, learned Special Government Pleader takes notice for the respondent.

3.According to the petitioner, when she presented the sale deed dated 03.08.2024, which is executed in her favour by one Visalakshi and her son Shanmugam in respect of the property in R.S.Nos.133, 135 & 136, Survey Ward No.11, Survey Block-II, Kinathadi Kalamman Koil Street, Karaikudi, Sivagangai District, the respondent, vide refusal check slip dated 03.08.2024, has refused to register the same on the ground that original Will has not been produced. Challenging the same, the petitioner has filed this Writ Petition.

4.At the outset, this Court is of the view that when the purchaser satisfied with the title and decided to purchase the property, the registering authorities have no right to decide the issue of title and what is required is only minimum enquiry under Section 34 of the Registration Act, 1908 with regard to the identity of the person, who executed the document. In such view of the



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matter, the impugned order passed by the respondent stands quashed and this

Writ Petition is allowed with a direction to the respondent to register the document presented by the petitioner within a period of one week from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

16.10.2024

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

Yuva

To

The Joint Sub Registrar – I,
Karaikudi,
Sivagangai District.



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N.SATHISH KUMAR, J.

Yuva

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