



W.P.(MD) No.23172 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.23172 of 2024

P.Mohan

...Petitioner

-VS-

The District Registrar,
Tiruchirappalli.

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, to direct the respondent to release the document in P/Srirangam/59/2022 dated 27.07.2022 presented for registration after duly registering the same styled as Sale Deed dated 27.07.2022 in P/Srirangam/59/2022.

For Petitioners	: Mr.R.Sundar Srinivasan
For Respondent	: Mr.C.Satheesh
	Government Advocate

ORDER

This writ petition has been filed to direct the respondent to register and release the document dated 27.07.2022.

1/5



W.P.(MD) No.23172 of 2024

2.Mr.C.Satheesh, learned Government Advocate takes notice for the respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the petitioner has purchased the subject property vide sale deed dated 26.07.2022. When the petitioner presented the said sale deed for registration, the same has been kept as a pending document. Hence, he seeks a direction to register and release the said sale deed.

4.The learned Government Advocate for the respondent, on instructions, submitted that since there is some double entry in the encumbrance document with regard to the subject property, the document presented by the petitioner was not registered.

5.It has been demonstrated by the petitioner that the property originally belonged to one Sadagopan. His power agent, namely Devaraj, had sold the said property to Saroja, K.Sundarrajan and Bashyam in the year 1997. Thereafter, the said Sadagopan executed a



W.P.(MD) No.23172 of 2024

settlement deed in favour of his wife alleging that the power agent had fraudulently alienated the subject property. Challenge made to the sale deed executed by the power of attorney in a suit in O.S.No.1613 of 2006, ended in dismissal. Thereafter, a complaint was given before the authorities concerned to cancel the said sale deed, which was also dismissed. The criminal case lodged against the Devaraj, power of attorney, was also ended in acquittal.

6.Such being the position, the title has already been passed in favour of Saroja, Sundarrajan and Bashyam in the year 1997. Now, it cannot be stated by the Sub Register that merely because of the settlement deed executed by Sadagopan in respect of the property in question, the later document cannot be registered. Further, earlier findings of the competent civil Court, has not been set aside and the title has already been transferred to the petitioner's vendor. Hence, the respondent cannot refuse to register the document.

7.Accordingly, this writ petition is allowed and the respondent is directed to register the document presented by the petitioner and release



W.P.(MD) No.23172 of 2024

the same within a period of one week from the date of receipt of a copy
of this order.

30.09.2024

Index : Yes / No
Internet : Yes / No
ta

To

The District Registrar,
Tiruchirappalli.



WEB COPY



W.P.(MD) No.23172 of 2024

N.SATHISH KUMAR, J.

ta

W.P.(MD) No.23172 of 2024

30.09.2024