



W.P(MD)No.22374 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.22374 of 2023

1.Paul Prasad
2.Arul Lawrence
3.Xavier Selvakumar

... Petitioners

Vs.

1.The District Registrar,
Cheranmahdevi Registration District,
Cheranmahdevi,
Tirunelveli District.

2.The Sub Registrar,
Mukoodal Sub Registry,
Mukoodal, Cheranmahdevi Taluk,
Tirunelveli District.

3.Jega Jeevan Ram
4.Parvathy
5.Venmathy
6.Palvarnakumari
7.Gomathi
8.Manikandan
9.Vence Abirami
10.Usha

... 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 pertaining to the impugned refusal check slip order made by the 2nd



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respondent in refusal No.RFL/Mukoodal/62/2023 dated 16.08.2023 with regard to the property to the extent of 4 Acre in the southern side out of 8 acre 15 cents in ayan Punja Survey No.199/1A2A at Mukoodal Village and Mukoodal Sub Registry, Cheranmahdevi Taluk, Tirunelveli District and quash the same as arbitrary and consequently, directing the second respondent to register the sale deed dated 16.08.2023 executed by the respondents 3 to 9 in favour of the petitioners regarding the above property.

For Petitioners : Mr.D.Senthil,
for Mr.S.J.Sasidharan
For R1 and R2 : Mr.P.Subbaraj
Special Government Pleader
For R3, 4,7,8&10 :No appearance

ORDER

Challenge has been made to the refusal check slip issued by the respondent dated 16.08.2023.

2.It is the grievance of the petitioners that when first petitioner presented the sale deed dated 16.08.2023, which is executed in his favour and other petitioners, it was refused by the second respondent, vide refusal check slip dated 16.08.2023 on the ground that a suit has been filed for the similar relief. Therefore, challenging the same, the petitioner has filed this Writ Petition.



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3.At the outset, the suit in O.S.No.67 of 2023 filed by Usha, who is the 10th respondent herein, before the Principal District Munsif, Cheranmahdevi, for permanent injunction restraining the authorities from performing their statutory duties cannot be maintained, without any other relief with regard to the property.

4.Be that as it may, mere pendency of the suit is not a ground to refuse to register the document. Hence, the impugned order passed by the second respondent is liable to be quashed, accordingly, it is quashed. This Writ Petition is allowed with a direction to the second respondent to register the document presented by the first petitioner, within a period of one week from the date of receipt of a copy of this order. No costs.

01.10.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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N.SATHISH KUMAR, J

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To

- 1.The District Registrar,
Cheranmahdevi Registration District,
Cheranmahdevi,
Tirunelveli District.
- 2.The Sub Registrar,
Mukoodal Sub Registry,
Mukoodal, Cheranmahdevi Taluk,
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