



W.P(MD)No.22810 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.22810 of 2023

Sankaranarayanan

... Petitioner

Vs.

1.The District Registrar,
Karaikudi.

2.The Sub Registrar,
Thiruvadanai,
Ramanathapuram District.

3.Mr.Subramaniam

... 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 issued by the second respondent RFL/Thiruvadanai/32/2023 dated 22.08.2023 and quash the same and consequently direct the second respondent to receive and register the documents presented for the lands in Survey Number 192/3 and 192/4B Kumiliyendhal Village, Bagavathy Mangalam Group, RS Mangalam Taluk, Ramanathapuram District.

For Petitioner : Mr.VR.Shanmuganathan
For R1 & R2 : Mr.M.Siddharthan,
Additional Government Pleader



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ORDER

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Challenge has been made to the refusal check slip issued by the second respondent dated 22.08.2023 .

2.It is the grievance of the petitioner that when the petitioner presented the settlement deed dated 18.08.2023, which is executed in his favour for registration, it was refused by the second respondent, vide refusal check slip dated 22.08.2023 on the ground that the partition between the petitioner's father and the third respondent requires. Therefore, challenging the same, the petitioner has filed this Writ Petition.

3.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first and second respondents.

4.At the outset, this Court is of the considered view that the impugned order cannot be sustained in the eye of law. When the arrangement made in the family with regard to the division of the property is agreed upon and acted upon, it is for the Sub-Registrar to register the same, without going into the issue. The so called family arrangement can be challenged only by the family members. Since there is no challenge, the patta stands in the name of the



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petitioner, the Sub-Registrar ought to have registered the document.

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5.In such view of the matter, the impugned order passed by the second respondent is quashed. This Writ Petition is allowed with a direction to the second 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.

01.10.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

1.The District Registrar,
Karaikudi.

2.The Sub Registrar,
Thiruvadanai,
Ramanathapuram District.



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N.SATHISH KUMAR, J

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