



W.P(MD)No.23733 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.23733 of 2024

and

W.M.P(MD).No.20101 of 2024

K.Anbu

... Petitioner

Vs.

1.The District Registrar,
Tanjore.

2.The Sub Registrar,
Vallam having office at
Vallam Sub Registrar Office,
Vallam, Tanjore Taluk & District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned check slip dated 02.08.2024 in RFL/Vallam/Thanjavore/93/2024 and quash the same and direct the second respondent to receive the document dated 02.08.2024 styled as settlement deed for registration and register the same.

For Petitioner : Mr.R.Sundar Srinivasan

For Respondents : Mr.M.Siddharthan
Additional Government Pleader



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WEB COPY

ORDER

Challenging the impugned check slip dated 02.08.2024 in RFL/Vallam/Thanjavore/93/2024 issued by the second respondent, this writ petition has been filed.

2. Heard both sides. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that the property bearing Plot Nos.17 and 22 in Quide-e-Millet Nagar comprised in S.Nos.102B/1, 102B/2 in Vallam South Sethi Village, Tanjore Taluk & District along with other properties belongs to her. She decided to settled the said property in favour of her husband. In this regard, she presented the document for registration, the same has been refused citing pendency of C.M.P(MD).Nos.16844, 16848, 16851, 16853, 16855, 16856 and 16858 of 2023. It is the contention of the petitioner that in respect of subject property, specific performance was granted in her favour in E.P.No.22 of 2014 on the file of the Subordinate Court, Thanjavur. Based on the same, the petitioner made alienation, but the same was refused citing the aforesaid reason. Hence, she seeks direction.



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4. A perusal of the records it shows that C.M.P(MD).Nos.16844, 16848, 16851, 16853, 16855, 16856 and 16858 of 2023 are filed by the petitioner challenging the transfer original petitions filed by the purchaser and obtained interim order. That order is also placed before this Court. Without understanding the facts, blindly based on the pendency of said miscellaneous petitions, the second respondent refused the document presented by the petitioner. In such view of the matter, this Court is of the view that the impugned order, on the face of it, is without application of mind and hence, it cannot be sustained.

5. Accordingly, the impugned check slip dated 02.08.2024 in RFL/Vallam/Thanjavore/93/2024 issued by the second respondent is set aside and this Writ Petition is **allowed**. The second respondent is directed to register the petition mentioned document 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.

04.10.2024

NCC : Yes / No
Index : Yes / No
Rmk



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N.SATHISH KUMAR, J

Rmk

To

- 1.The District Registrar,
Tanjore.
- 2.The Sub Registrar,
Vallam having office at
Vallam Sub Registrar Office,
Vallam, Tanjore Taluk & District.

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