



W.P.(MD)No.23647 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.23647 of 2024

A.Rajamohammed

... Petitioner

Vs.

The Sub Registrar,
O/o.The Sub Registrar,
Devakottai, 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, to call for the records relating to the refusal check slip of the respondent dated 04.09.2024 in RFL/Devakottai/96/2024 and set aside the same and direct the respondent to register the document namely Memorandum of Deposit of Tittle Deeds presented by the petitioner.

For Petitioner : Mr.R.Balakrishnan

For Respondent : Mr.C.Satheesh
Government Advocate



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ORDER

Challenging the refusal check slip issued by the respondent, this writ petition has been filed.

2. The case of the petitioner is that when he presented the memorandum of deposit of tittle deed in favour of Kotak Mahinra Prime Limited for the purpose of availing loan, the same was refused to register by the respondent citing the pendency of W.P(MD).No.14999 of 2024. Hence, seeks direction.

3. At the outset, this Court is of the view that the impugned order is nothing, but clearly non-application of mind. One P.Saiprasath filed W.P(MD).No.14999 of 2024 seeking to consider his representation and allot the land to construct the school. Therefore, merely pendency of that writ petition is not a ground for rejection, when there is no order passed. As long as the title is with the petitioner, it is not for the registering authority to reject the registration of the petitioner's document.



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4. In such view of the matter, the impugned refusal check slip of the respondent dated 04.09.2024 in RFL/Devakottai/96/2024 is set aside and this Writ Petition is **allowed**. The respondent is directed to register the memorandum of deposit of tittle deed presented by the petitioner within a week from the date of receipt of a copy of this order. No costs.

16.10.2024

Index : Yes / No

NCC : Yes / No

Rmk

To

The Sub Registrar,
O/o.The Sub Registrar,
Devakottai, Sivagangai District.



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N.SATHISH KUMAR, J.

Rmk

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