



W.P.(MD)No.24075 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.11.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.24075 of 2024

Ravi

... Petitioner

/Vs./

1. The Inspector General of Registration,
O/o.The Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate,
Chennai – 28.

2. The District Registrar,
O/o.The District Registrar,
Registration Department,
Sivagangai,
Sivagangai District.

3. The Sub Registrar
Paramakudi Sub Registrar Office,
Registration Department,
Paramakudi,
Paramakudi District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Refusal Check Slip in RFL/Paramakudi/23/2024 dated 21.08.2024 passed by the Respondent No.3 and quash the same as illegal, consequently directing the Respondent No.3 to register the Sale Deed dated 21.08.2024 presented by the Petitioner.

For Petitioner : Mr.P.Prabakaran

For Respondents : Mr.M.Sarangan

Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned Refusal Check Slip dated 21.08.2024, thereby refused to register the sale deed and directed the petitioner to produce the legal heirship certificate of the original owner of the property and the relinquish deed executed by the legal heirs of the original owner.

2. Heard the learned counsel on either side and perused the materials placed before this Court.



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3. The property comprised in S.No.152/5, patta No.455, measuring to an extent of 1 acre 17 cents Maraikayarpatinam, Paramakudi Taluk, Ramanathapuram District, was originally purchased by one Dhanasekaran's father, namely, Paulsamy vide registered sale deed dated 24.05.1974 vide Document No.1084/1974. After demise of the said Paulsamy, his four sons including Dhanasekaran, being his legal heirs, inherited the subject property. Among them, three sons had relinquished their shares over the subject property in favour of Dhanasekaran, who in turn, executed general power of attorney in favour of one Thiyagarajan vide registered Document No.323/94. The said power holder had executed the sale deed in favour of the petitioner and presented the same for registration on 21.08.2024.

4. The third respondent rightly refused to register the sale deed on the ground that the petitioner failed to produce the legal heirship certificate of the deceased Paulsamy, and the relinquish deed executed by three sons of Paulsamy in favour of one son, Dhanasekaran and the power of attorney deed executed by the said Dhanasekaran in favour of Thiyagarajan, who had executed the sale deed in favour of the petitioner.



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Therefore, this Court finds no infirmity or illegality in the impugned refusal check slip issued by the third respondent and this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. However, the petitioner is a liberty to produce the documents, which were sought for by the third respondent for registration of the sale deed and on receipt of the same, the third respondent is directed to register the sale deed and release the same in favour of the petitioner, if it is otherwise in order. No costs.

22.11.2024

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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