



W.P(MD)No.24415 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.24415 of 2023

Angel Gnana Roopavathi

... Petitioner

Vs.

1.The Sub Registrar,
Sub Registrar Office,
Tirumangalam

2.Johnson Ebinezer Jayabalan

3.Anandraj

4.S.Jannet

...Respondents

(R2 to R4 are impleaded
vide order dated 19.12.2023
in W.M.P(MD)No.22430/2023)

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 of the impugned refusal check slop in Refusal No.RFL/Tirumangalam/3/2023 dated 31.08.2023 issued by the respondent, quash the same as illegal and consequently direct the respondent to complete the process of registration in respect of the sale deed dated 30.08.2023 bearing TP/158534214/2023 and release the same within a time fixed by this Court.



WEB COPY



W.P(MD)No.24415 of 2023

For Petitioner : Mr.K.Saravanakumar
For R1 : Mr.P.Subbaraj
Special Government Pleader

ORDER

Challenge has been made to the refusal check slip issued by the respondent dated 31.08.2023.

2.It is the grievance of the petitioner that when she presented the sale deed dated 31.08.2023 before the first respondent for registration, which is executed in her favour, it was refused by the first respondent, vide refusal check slip dated 31.08.2023 on the ground that the title has been relied based on the unregistered Will. Therefore, challenging the same, the petitioner has filed this Writ Petition.

3.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the first respondent.

4.The only reason stated by the Sub Registrar is that the unregistered Will would not convey title. This order itself would indicate how the Sub Registrar ignore the law which decides the rights of the parties. The



W.P(MD)No.24415 of 2023

Registration of the Will is optional, it is very fundamental.

WEB COPY

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

Ns

To

1.The Sub Registrar,
Sub Registrar Office,
Tirumangalam,



W.P(MD)No.24415 of 2023

N.SATHISH KUMAR, J

Ns

W.P(MD)No.24415 of 2023

01.10.2024