



W.P.(MD)No.24894 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.12.2024**

CORAM:

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

W.P.(MD)No.24894 of 2024

R. Murugan

... Petitioner

/Vs./

The Sub Registrar

Alwarthirunagari S.R.O.,

Alwarthirunagari,

Thoothukudi District.

(respondent is amended vide Court order

dated.13.12.2024 in W.M.P(MD).22026/2024)

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned refusal check slip issued by the respondent in Refusal Number. RFL/Alwar Thirunagari/51/2024 dated 25.09.2024 and quash the same as illegal and consequently direct the respondent to register the settlement deed dated 25.09.2024 with regard to the Survey No.322/2 bearing patta Number.473 measuring to an extent of 39.52 cents situated at Alwar Thirunagari Village, Palayamkottai Registration District , Srivaigundam Taluk, Thoothukudi District, within a time frame fixed by this Court.



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For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.S.P.Maharajan

Special Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip issued by the respondent, dated 25.09.2024 thereby refused to register the settlement deed dated 25.09.2024 on the ground that there is a civil suit pending in respect of the property comprised in S.No.322/2 under Patta No.473 to an extent of 39.52 cents situated at Alwar Thirunagari Village, Palayamkottai Registration District, Srivaikundam Taluk, Thoothukudi District.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

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



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4. The learned counsel appearing for the petitioner would submit that now, the suit has been decreed by compromise between the parties and as such, there is no impediment for the respondent to register the settlement deed, which was presented by the petitioner for registration on 25.09.2024.

5. In view of the above, the impugned order dated 25.09.2024 is liable to be quashed and accordingly it is quashed. The petitioner is directed to represent the settlement deed for registration and on receipt of the same, the respondent is directed to register the same and release the document forthwith, if it is otherwise in order.

6. Accordingly, the writ petition is allowed. No costs.

20.12.2024

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
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TO:-

The Sub Registrar
Alwarthirunagari S.R.O.,
Alwarthirunagari,
Thoothukudi District.



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G.K.ILANTHIRAIYAN, J.

AM

Order made in
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