



W.P(MD)No.24833 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24833 of 2024

and

W.M.P.(MD)No.21150 of 2024

L.Sadacharam

... Petitioner

Vs.

The Sub Registrar,
Paramakudi Taluk,
Ramanathapuram 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 proceedings of the impugned refusal check slip in RFL/Paramakudi/44/2023 dated 25.09.2023 on the file of the respondent and quash the same and further directing the respondent to receive and register the power deed dated 25.09.2023.

For Petitioner : Mr.G.Parbhu Rajadurai
For Respondent : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip issued by the respondent dated 25.09.2023 and to direct the respondent to register the document of the petitioner.



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2.Mr.M.Siddharthan, learned Additional Government Pleader, takes notice for the respondent. By consent of both parties, this writ petition is taken up for final disposal.

3.It is the grievance of the petitioner the subject properties are the ancestral properties of the petitioner. The petitioner is having a share in the subject property. In this regard, the petitioner filed a suit for partition in O.S.No.73 of 2022 before the Additional District Court, Paramakudi and obtained a preliminary decree in his favour. Thereafter, in respect of his share in the subject property, the petitioner has executed a power deed dated 25.09.2023. When he presented the said power deed for registration, the same was refused to be registered on the ground that the patta has not been produced.

4.According to the petitioner, the patta for the subject property stands in the name of the petitioner's grandfather. He also prefers to produce the same before the authorities concerned.

5.As far as the ancestral properties are concerned, the Registering authorities cannot insist for separate patta. The patta stands in the name of the



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other co-owner would be suffice to register the document. In such view of the matter, this writ petition is **allowed** and the impugned refusal check slip issued by the respondent dated 25.09.2023 is quashed. The respondent is directed to register the document presented by the petitioner within a period of seven days from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

21.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

The Sub Registrar,
Paramakudi Taluk,
Ramanathapuram District.



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N.SATHISH KUMAR, J.

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