



W.P(MD)No.25317 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD)No.25317 of 2024

1.A.Pattan
2.M.Subbiah

... Petitioners

Vs.

1.The Sub Registrar,
North Veeravanallur,
Tirunelveli.

2.P.Kannan

... Respondents

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 relating to the impugned refusal check slip in RFL/North Veeravanallur/31/2024 dated 07.10.2024 and quash the same and consequently, to direct the 1st respondent to register the document and release the same within the time fixed by this Court.

For Petitioners : Mr.K.K.Udayakumar

For R1 : Mr.M.Siddharthan,
Additional Government Pleader.



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ORDER

By consent of both sides, this Writ Petition is taken up for final disposal at the stage of admission itself. Considering the nature of order proposed to be passed in this Writ Petition, notice to the 2nd respondent is dispensed with.

2.It is the case of the petitioners that when the 1st petitioner presented the sale deed, which is executed by him in favour of the 2nd petitioner in respect of the land in Old S.No.24/4, New S.No.24/4A to an extent of 8 Ares situated at South Veeravanallur Part-I Village, Cheranmahadevi Taluk, Tirunelveli District, for registration, the 1st respondent, vide refusal check slip dated 07.10.2024, has refused to register the same on the ground that the 2nd respondent has purchased the property through a registered sale deed in Doc.No.1030 of 2011. Challenging the same, the petitioners have filed this Writ Petition.

3.It is the contention of the learned counsel for the petitioners that the total extent of the land is 83 cents. Out of which, the 2nd respondent has purchased 23 cents on the eastern end of S.No.24/4, whereas the 1st petitioner's vendor had purchased undivided 1/4th share in the land in question in the year 1988. The 2nd respondent's sale deed is of the year 2011, whereas the western



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boundary of the 2nd respondent's land is mentioned as the land belongs to the 1st petitioner.

4.Perused the records available before this Court.

5.As rightly pointed out by the learned counsel for the petitioners, in the sale deed of the 2nd respondent, the 1st petitioner's property has been shown as western property. Therefore, when the parties are satisfied with the title and the 1st petitioner has clearly demonstrated that the property conveyed by him is a different property, merely because all the survey numbers are one and the same, the document cannot be refused to be registered.

6.In such view of the matter, the impugned order of the 1st respondent is quashed and this Writ Petition is allowed with a direction to the 1st respondent to register the document presented by the 1st petitioner within a period of one week from the date of receipt of a copy of this order. No costs.

24.10.2024
(2/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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N.SATHISH KUMAR, J

Yuva

To
The Sub Registrar,
North Veeravanallur,
Tirunelveli.

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