



W.P.(MD)No.25910 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **29.10.2024**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.25910 of 2024

Selvi

... Petitioner

Vs.

1.The District Registrar (Administration),
O/o District Registrar,
Velu Nachiyar Valakam,
Dindigul, Dindigul District.

2.The Sub Registrar,
O/o Sub Registrar Office,
Chinnalapatti,
Dindigul District.

3.R.Ganeshan

... Respondents

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 pertaining to the impugned refusal check slip issued by the second respondent herein in his proceedings in refusal number .RFL/Chinnalapatti/13/2024 dated 03.05.2024 and quash the same as illegal and consequently direct the second respondent to register the document presented by the petitioner with TP/180380004/2024 dated 03.05.2024.



W.P.(MD)No.25910 of 2024

For Petitioner : Mr.S.Sarvagan Prabhu
For R1 & R2 : Mr.C.Satheesh
Government Advocate

ORDER

Challenge has been made to the impugned refusal check slip issued by the second respondent.

2. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that originally the subject property was purchased by the petitioner's vendor, namely, Gunasekaran, on 24.09.1990 and he has executed a power of attorney in favour of one V.R.Rajendran on 02.12.1999 and thereafter, the said power of attorney was cancelled on 16.07.2008. Thereafter, the said Gunasekaran sold the property to the petitioner on 13.03.2009 vide Doc.No.653 of 2009. Patta was also transferred in the name of the petitioner. Subsequently, the said power of attorney sold the property in favour of one Ganesan on 23.03.2009, which is much after the petitioner's purchase and also after the cancellation of power of attorney executed his favour. Now, when



W.P.(MD)No.25910 of 2024

the petitioner wanted to settle his property in favour of his son and in this regard, he presented the settlement deed on 03.05.2024 for registration, the same was refused by the second respondent citing the earlier document, namely, 23.03.2009.

4. A perusal of the order and the deeds, it makes very clear that the third respondent purchased the property much after the purchase in favour of the petitioner on 13.03.2009. Therefore, the double entry will not make any impact. Further, to establish the rights, only a registered document is required. Hence, the impugned order in RFL/Chinnalapatti/13/2024, dated 03.05.2024, stands quashed and this Writ Petition is **allowed**. The second respondent is directed to register the petition mentioned document within a week from the date of receipt of a copy of this order. If the third respondent disputes the title, he can establish the same before the civil Court in the manner known to law. No costs.

29.10.2024

Index : Yes / No
NCC : Yes / No
Rmk



WEB COPY



W.P.(MD)No.25910 of 2024

N.SATHISH KUMAR, J.

Rmk

To

- 1.The District Registrar (Administration),
O/o District Registrar,
Velu Nachiyar Valakam,
Dindigul, Dindigul District.
- 2.The Sub Registrar,
O/o Sub Registrar Office,
Chinnalapatti,
Dindigul District.

W.P.(MD)No.25910 of 2024

29.10.2024