



W.P(MD)No.26246 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2024

CORAM :

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P(MD)No.26246 of 2024

Sujoshi

... Petitioner

Vs.

1.The Inspector General of Registration,  
No.100, Santhome High Road,  
Pattinampakkam, Chennai-600 028.

2.The District Registrar,  
Madurai District, Madurai.

3.The Sub Registrar,  
Office of the Sub Registrar,  
Melur West, Melur Taluk,  
Madurai District.

... 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 order of refusal slip passed by the 3<sup>rd</sup> respondent dated 15.10.2024 in RFL/Melur(West)25/2024 and quash the same as illegal and consequently, to direct the 3<sup>rd</sup> respondent to register the sale deed dated 12.09.2024 in respect of the properties in S.F.Nos.303/1A, 303/6A, 241/1, 241/2, 233/1 235/1, 235/12A, 235/12B, 235/5, 235/9 and 237/5 having an total extent of 1 Hectare 64.28 Ares of agricultural lands of Sennagarampatti Village, Melur Taluk, Madurai District.



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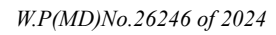
For Petitioner : Mr.K.Baalasundharam,  
Senior Counsel,  
for M/s.KBS Law Office

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

### **ORDER**

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

2.According to the petitioner, when he presented the sale deed dated 12.09.2024, which is executed in favour of one Vijayaraghavan in respect of the property in S.F.Nos.303/1A, 303/6A, 241/1, 241/2, 233/1 235/1, 235/12A, 235/12B, 235/5, 235/9 and 237/5 having an total extent of 1 Hectare 64.28 Ares of agricultural lands of Sennagarampatti Village, Melur Taluk, Madurai District, for registration, the 3<sup>rd</sup> respondent, vide refusal check slip dated 15.10.2024, refused to register the same, citing the protest petition filed by one K.Pandi and six others and stating that they had filed applications, claiming cultivating tenants patta in respect of the property in question before the Tahsildar concerned. Challenging the same, the petitioner has filed this Writ Petition.



“... b. refusal on the ground of title dispute, in a judgment of this Court in the case of *Abdullasa v Inspector General of Registration* reported in 2021 2 CWC 451, this Court held that the Registrar cannot refuse to register the document on the basis of objections raised by a rival claimant, who has a different source of title. Similarly, the Hon'ble Apex Court in the case of *Satya Pal Anand v. State of M.P.*, reported in (2016) 10 SCC 767 has held that an enquiry into the title of the executant is beyond the powers of the Sub-Registrar. Therefore, in view of the law declared in this regard, merely on the ground of protest petitions and objections raised by some third party, the document cannot be refused to be registered.”



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5.In such view of the matter, the impugned refusal check slip issued by the 3<sup>rd</sup> respondent is quashed. Accordingly, this Writ Petition is allowed with a direction to the 3<sup>rd</sup> 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.

**30.10.2024**  
**(3/6)**

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

*Yuva*

To

- 1.The Inspector General of Registration,  
No.100, Santhome High Road,  
Pattinampakkam, Chennai-600 028.
- 2.The District Registrar,  
Madurai District, Madurai.
- 3.The Sub Registrar,  
Office of the Sub Registrar,  
Melur West, Melur Taluk,  
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**N.SATHISH KUMAR, J**

*Yuva*

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