



W.P.(MD)No.28990 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28990 of 2023

M.Nasar

... Petitioner

Vs.

1.The District Registrar,
Karaikudi,
Sivagangai District.

2.The Sub Registrar,
Thiruppathur,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned check slip in RFL/Thiruppathu - Karaikudi/123/2023 dated 18.11.2023 issued by the second respondent and quash the same as illegal and directing the second respondent for registering the settlement deed pertaining to Plot No.MTR-2 in G.R.Survey No.280/3, to the extent of 824.50 Sq.Ft in S.M.Hospital Compound, Thiruppathur, Sivagangai District in the light of order dated 26.04.2019 in W.P.(MD) No.21937 of 2018 and order dated 15.06.2021 in W.P.(MD) No.7995 of 2021.



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For Petitioner : Mr.H.Mahamed Hussain

For Respondents : Mr.Ragavendran
Government Advocate

ORDER

Heard both sides.

2.The petitioner wants to settle the petition mentioned property in favour of his mother. The settlement deed was presented for registration. Registration was refused on the ground that permission must be obtained from the High Court. There is a reference to the interim order made in W.P.No.11679 of 2017 dated 04.05.2017. This writ petition was closed on 27.07.2017. When the main writ petition itself had been closed, interim order cannot have a life beyond it. Therefore, the impugned order is liable to be quashed on this sole ground. It is accordingly quashed. It is open to the petitioner to re-present the document. The second respondent will register the document if all the other usual formalities are fulfilled.



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3. With this liberty to the writ petitioner and direction to the second respondent, this writ petition is allowed. There shall be no order as to costs.

05.04.2024

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

To

1. The District Registrar,
Karaikudi,
Sivagangai District.
2. The Sub Registrar,
Thiruppathur,
Sivagangai District.



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G.R.SWAMINATHAN,J.

MGA

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