

WP No.330 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.330 of 2025

A.Mohan Kumar

... Petitioner

Vs

1.The Inspector General of Registration
Office of the Inspector General of Registration
No.100, Santhome Highway
Pattinapakkam, Chennai - 28.

2.The District Registrar
District Registrar Office
Gandhi Nagar
Dharmapuri - 636 701.

3.The Sub Registrar
Office of Sub-Registrar
Marandahalli to Palacode Main Road
Marandahalli
Dharmapuri District - 636 806.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking to issue Writ of Certiorarified Mandamus to call for the records of the third respondent vide Refusal Check Slip No.RFL/Marandahalli/164/2024 dated 17.12.2024 and quash the same as illegal and consequently direct the



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third respondent to register the Sale Deed dated 17.12.2024 produced by the petitioner pertaining to the property measuring to an extent of 59 cents, bearing patta No.248 and Survey No.135/2 situated at Jakkasamuthuram Village, Marandahalli, Dharmapuri District - 636 806, within the time limit stipulated by the Court.

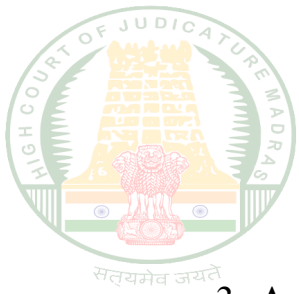
For Petitioner : Mr.G.Mohammed Aseef

For Respondents : Mr.P.Harish, Government Advocate
for R1 to R3

ORDER

The Writ Petition is filed to quash the impugned refusal check slip of the third respondent in No.RFL/Marandahalli/164/2024 dated 17.12.2024 and consequently direct the third respondent to register the sale agreement dated 17.12.2024 produced by the petitioner.

2. When the petitioner presented the subject sale deed for registration, the third respondent issued the refusal check slip on the ground that there was a protest petition.



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3. A perusal of the affidavit filed in support of this petition would reveal that the petitioner herein had purchased an extent of 59 cents of property in S.No.135/2 of Jakkasamuthram Village, Marandaalli, Dharmapuri District from one Selvi in the year 2023 vide Doc.No.2167/2023 dated 01.09.2023. According to the petitioner, her vendor Selvi had obtained 1.10.0 hectares of land in the said survey number through a settlement deed executed by her father Chinnaponnan on 04.11.2008. When the petitioner's vendor Selvi faced obstruction from her sister N.Vijayalakshmi, she had instituted a suit in O.S.No.159 of 2013 on the file of the Judicial Magistrate, Palacode. for declaration and permanent injunction and obtained a decree. He would submit that the original parent document No.898/1989 had been lost by Vijayalakshmi who is the other daughter of Chinnaponnan and a police complaint was lodged and a Non-traceable Certificate was also obtained on 25.08.2023. It is reiterated by the petitioner that only after submitting all the documents in aid of above lost and subsequent events, the sale deed was registered in his name. Now the petitioner wanted to sell the property to one Srinivasan for a sale consideration of Rs.3,12,500/-, which was mutually agreed between the petitioner and his purchaser. Accordingly, when the petitioner presented the



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sale deed before the third respondent for registration, the impugned Refusal Check Slip dated 17.12.2024 was issued. Hence, the petitioner is before this Court in the present writ petition.

4. The learned Government Advocate would submit that the original document in respect of the property is in the hands of the protest petitioner. However, the petitioner to date had not got any orders from the Court and has not established title to the property.

5. In the above circumstances, the Writ Petition is allowed and impugned order dated 17.12.2024 is set aside. The petitioner is directed to represent the Sale Deed along with a copy of the order of this Court before the 3rd respondent within a period of two weeks from the date of receipt of a copy of this order and on such representation, the documents shall be registered. There shall be no order as to costs.

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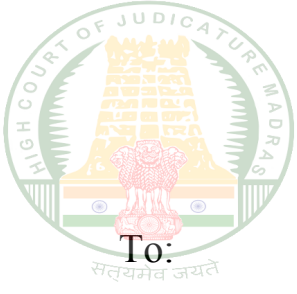
Speaking order/non-speaking order
Neutral Citation: Yes/No
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