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W.P.No.1738 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 1738 of 2025

Maruthachalam

...Petitioner

Vs.

1.The Office of Inspector General of Registration
100, santhome high road,
Chennai 600 028

2.The Sub Registrar
No 82, 5th cross street,
Meena Estate,
Sowripalayam (post)
Coimbatore 641 028

3.A. Subramanian

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent to register the proposed settlement deed bearing in the survey no 23/1 extent of 1.88 acres in Ramanathpuram Village, Pellamedu SRO, Coimbatore, based on the representation on behalf of the petitioner counsel dated 03.07.2024.



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For Petitioner : Mr. Suriya Kannan S
For Respondents : Mrs. C.Meera Arumugam
1 & 2 Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To direct the 2nd respondent to register the proposed settlement deed bearing in the survey no 23/1 extent of 1.88 acres in Ramanathpuram Village, Pellamedu SRO, Coimbatore, based on the representation on behalf of the petitioner counsel dated 03.07.2024.”

2. The contention of the petitioner is that he decided to execute a settlement deed in favour of his sister, Sumathi and when he made a pre registration enquiry with the 2nd respondent, the 2nd respondent informed him that the document cannot be registered in the light of the pendency of the suit in O.S.No.263 of 2023 and O.S.No.55 of 2024 on the file of the District Court, Coimbatore.



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3. The petitioner would submit that there are no interim orders restraining the registration in the aforesaid suit. Therefore, despite there being no impediment, the 2nd respondent is refusing to register the said document. Therefore, the petitioner is before this Court.

4. Mrs. C.Meera Arumugam, Additional Government Pleader would inform this Court that the petitioner has not even submitted his online application. Once the online application is filed, it would be considered.

5. Heard the learned counsels on the either side and perused the records.

6. Considering the above facts and the submissions made by the learned counsels, the Writ petition is allowed, with a direction to the petitioner to first make an online application and the Sub Registrar shall register the same, without rejecting it on the ground that the suits



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are pending as there is no interim orders in the said suits. The registration shall be done within a period of 2 weeks from the date of its presentation. No costs.

27.01.2025

Index : Yes/No
Internet : Yes/No

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To

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P.T. ASHA, J,

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