



WEB COPY



W.P.No.2606 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2606 of 2025

Badrasalam

... Petitioner

Vs.

The Sub Registrar
Dhadhagapatti, Salem District

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records relating to the impugned Refusal Check slip in No.RFL/Dhadhagapatti SRO/1/2025 dated 13.1.2025 issued by the respondent and quash the same and consequently direct the respondent to register the Sale deed dated 13.01.2025 presented by the petitioner.

For Petitioner : M/s.I.Ramanathan

For Respondents : M/s.P.Harish, Govt. Advocate,
for sole respondent



W.P.No.2606 of 2025

ORDER

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The Writ Petition is filed for the following reliefs:-

"to call for the records relating to the impugned Refusal Check slip in No.RFL/Dhadhagapatti SRO/1/2025 dated 13.01.2025 issued by the respondent and quash the same and consequently direct the respondent to register the Sale deed dated 13.01.2025 presented by the petitioner."

2. The respondent had refused to register the sale deed dated 13.01.2025 on the ground that the original parent document was not produced and that an earlier sale agreement dated 29.11.2021 registered as Doc.No.7364 of 2021 in respect of the subject property was in force.

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

4. Section 22- A of the Registration Act, which is inserted by the Tamil Nadu Act 48 of 1997, sets out the grounds under which the Registering Authority could refuse the registration. The reason that is given in the impugned order does not come within any of the grounds given in Section 22-A of the Registration Act. Further, as the earlier



W.P.No.2606 of 2025

agreement of sale is dated 29.11.2021 and the same has not been enforced to date it is now barred by limitation. It is also the case of the petitioner that the said agreement of sale had been executed as a security for a loan and the said loan has been cleared by the petitioner. Therefore, the impediment apprehended by the respondent is misconceived.

5. Accordingly, the Writ Petition is allowed. The impugned order dated 13.01.2025 is quashed. The respondent is directed to register the sale deed dated 13.01.2025 within a period of 2 weeks from the date of its representation by the petitioner. No costs.

29.01.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The Sub Registrar

Dhadhagapatti, Salem District



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W.P.No.2606 of 2025

P.T. ASHA. J.,

(shr)

W.P.No.2606 of 2025

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