



WEB COPY

W.P.No.3903 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.3903 of 2025

S.Vikramasingam

... Petitioner

Vs.

The Sub-Registrar,
Office of the Sub-Registrar,
Main Road, Vikramangalam – 621 701,
Ariyalur District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned Refusal Check Slip RFL/Vikramangalam/96/2024 dated 28.10.2024 issued by the respondent and quash the same as illegal and consequently, direct the respondent to verify the patta registered in the name of the petitioner and register the sale deed document dated 18.09.2024 presented by the petitioner and release the same.

For Petitioner : M/s.Usha Ramman

For Respondent : Mr.B.Vijay,
Additional Government Pleader



WEB COPY

ORDER

This writ petition has been filed challenging the refusal check slip dated 28.10.2024 issued by the respondent and for a consequential direction to the respondent to register the sale deed dated 18.09.2024 executed by the petitioner.

2. Heard M/s.Usha Ramman, learned counsel for the petitioner and Mr.B.Vijay, learned Additional Government Pleader appearing for the respondent.

3. The respondent has refused to register the sale deed only based on the entry that was made in the encumbrance certificate with reference to the Document No.285 of 2005 which was a sale deed dated 10.03.2005. This court on going through the entire materials is convinced that the subject property in Survey No.45/6 was originally owned by the father of the petitioner and it measured a total extent of 0.24.50 Hectares which is equivalent to 60 cents. Out of this extent of property, the petitioner executed a sale deed in favour of Ponnusamy and Sankar on 07.11.2008 which was registered as Document No.1679 of 2008 and by virtue of this document, an



WEB COPY

extent of 8 Ares was sold. Thus, the petitioner retained the balance extent of 16.50 Ares. The petitioner wanted to deal with this property and accordingly executed a sale deed which has been refused to be registered by citing the earlier document that was registered as Document No.285 of 2005.

4. There is no reason to refuse to register the document presented by the petitioner since after the registration of the Document No.285 of 2005, the petitioner has sold a portion of the property to one Ponnusamy and Sankar and that document has been registered as Document No.1679 of 2008. While so, if the petitioner wants to deal with the remaining property, the so-called entry made in the year 2005 cannot now be put against the petitioner. That apart, even on going through the document which was registered as Document No.285 of 2005, this court does not find any bar in the petitioner dealing with the property.

5. In the light of the above discussion, the impugned refusal check slip issued by the respondent dated 28.10.2024 is hereby set aside. There shall be a direction to the respondent to entertain the sale deed and register the sale deed, if it is otherwise in order.



WEB COPY

6. In the result, this writ petition is allowed with the above direction. No costs.

19.02.2025

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

The Sub-Registrar,
Office of the Sub-Registrar,
Main Road, Vikramangalam – 621 701,
Ariyalur District.



WEB COPY

W.P.No.3903 of 2



N. ANAND VENKATESH, J.

skr

W.P.No.3903 of 2025

19.02.2025