



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WEB COPY

WP No. 6143 of 2025

1. Vasantha C.S

D/o.Swaminathan T.S., B 305, Daffodile,
Raheja Enclave, Race Course, Coimbatore-
641 018

Petitioner(s)

Vs

1. The Sub Registrar

Office Of The Sub Registrar Thondamuthur,
Coimbatore

2.M/s.Jmj Housing Ltd

Rep By Its Managing Director, Mr.Wilson P
Thomas, Flat No.F1, Ashaya Garden, Jaya
Nagar, Vadavalli, Coimbatore-641 041

Respondent(s)

PRAYER

Writ petition filed under Article 226 of the Constitution of India for the issue of writ of Certiorarified Mandamus to call for records of the 1st respondent relating to impugned order/refusal slip dated 23.1.2025 to quash the same and consequently direct the 1st respondent to forthwith register the settlement deed dated 21.1.2025 without insisting on production of any further documents within the time stipulated by this court

For Petitioner(s): S.SHEIK ISMAIL T.ANU PRIYA

For Respondent(s): Mr.B.Vijay, Agp For Respondents

**ORDER**

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This writ petition has been filed challenging the impugned refusal check slip dated 23.01.2025 issued by the 1st respondent and for a consequential direction to the 1st respondent to entertain the settlement deed executed by the petitioner and to register the same.

2. Heard Mr.S.Sheik Ismail, learned counsel for the petitioner and Mr.B.Vijay, learned Additional Government Pleader for 1st respondent.

3. The case of the petitioner is that she is the owner of the subject property and she entered into a Joint venture agreement with the 2nd respondent on 30.11.2020 and this agreement was registered as document No.8894 of 2020. There was some dispute between the parties and ultimately, it resulted in a suit filed before the Commercial Court, Coimbatore in COS No.81 of 2023 by the 2nd respondent seeking for recovery of money. This suit was partly allowed and the petitioner was directed to pay a sum of Rs.34,42,000/- with interest at the rate of 12% per annum from the date of agreement. The petitioner also paid this amount by way of deposit before the Commercial Court. The decree has also become final and the decree was also registered before the 1st respondent as document No.9765 of 2024. Under such circumstances, the petitioner wanted to settle the property in favour of her grand son and a settlement deed dated 21.01.2025 was executed. When this document was presented for registration



before the 1st respondent, the 1st respondent has refused to register the document on the ground that the joint development agreement dated 30.11.2020 has not been cancelled.

4. In the considered view of this Court, the Joint development agreement reached its logical end after the decree was passed by the Commercial court and the decree passed by the Commercial Court was also complied with by the petitioner. Therefore, the joint development agreement cannot be put against the petitioner at this stage and therefore, this Court is inclined to interfere with the impugned refusal check slip issued by the 1st respondent dated 23.01.2024.

5. In the result, this writ petition is allowed. There shall be a direction to the 1st respondent to register the settlement deed executed by the petitioner in favour of her grand son, if it is otherwise in order. No costs.

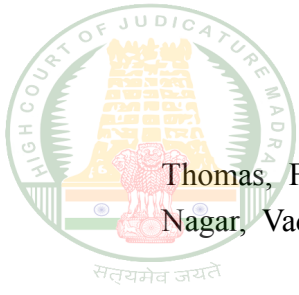
26-02-2025

To

1.The Sub Registrar
Office Of The Sub Registrar Thondamuthur,
Coimbatore

2.M/s.Jmj Housing Ltd

Rep By its Managing Director, Mr.Wilson P



WP No. 6143 of 2025



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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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