



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-03-2025

CORAM

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

W.P No. 6807 of 2025

C.Pannerselvam

S/o.Chinnathambi, No.3, First Street,
Venkatampettai Post, Sivanthipuram,
Cuddalore-607 302

..... Petitioner

Vs

1. The Sub Registrar

Kullanchavadi Sub Registrar Office,
Kullanchavadi, Cuddalore District-607 301.

2.D.Sampath

S/o.Dharmalingam, Muthalamman Koil
Street, Pachaiyankuppam, Cuddalore OT,
Cuddalore District

3.D.Narayanan

S/o.Dharmalingam, Muthalamman Koil
Street, Pachaiyankuppam, Cuddalore Ot,
Cuddalore District

... Respondents

PRAYER

Writ Petition under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Refusal Number RFL/Kullanchavadi/1/2025 dated 7.1.2025 passed by the respondent and quash the same and further direct the respondent to register the sale deed dated 16.12.2024 executed by the petitioner.



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For Petitioner:

Mr. J.Rajmohan

For Respondents:

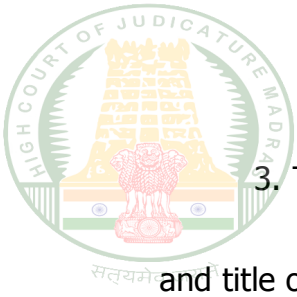
Mr.U.Bharanidharan

Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip issued by the first respondent dated 07.01.2025 and for a consequential direction to the first respondent to register the sale deed dated 16.12.2024 executed by the petitioner.

2. Refusal check slip has been issued by the first respondent mainly on the ground that the subject property has already been dealt with by way of a settlement deed dated 18.02.2010, whereby one Dharmalingam had settled the subject property along with other properties in favour of his sons. The very same property is now dealt with in the present sale deed. According to the petitioner, the petitioner's father had purchased the property from one Dharmalingam and subsequently, there was a partition between the petitioner's family members and the subject property was allotted to the petitioner's father. While so, the person who sold the property in favour of the petitioner's father, has once again dealt with this property by executing a settlement deed in favour of his children on 18.02.2010.



3. The grievance that was expressed by the petitioner touches upon the right

and title over the property and it is not necessary for this Court to go into that issue.

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The only consideration is as to whether the first respondent was right in rejecting to register the sale deed by citing the earlier document, which had already been dealt with in the year 2010. The reason that was assigned by the first respondent is unassailable and does not suffer from any illegality. Willy nilly the property has been dealt with in 2010 and the said document has to be necessarily put to question. The first respondent cannot completely disregard that document and parallelly keep registering documents presented for registration touching upon the same subject property. If that is done, it will only further confound the issue.

4. Therefore, this Court is not inclined interfere with the refusal check slip issued by the first respondent dated 07.01.2025. It goes without saying that it is always open to the petitioner to question the settlement deed and work out his remedy before the competent civil Court and subject to the result of the civil proceedings, he can deal with the property.



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N.ANAND VENKATESH, J.

KST

5. The writ petition is disposed of on the above terms. No costs.

07-03-2025

Index:Yes/No

Neutral Citation:Yes/No

KST

To

The Sub Registrar

Kullanchavadi Sub Registrar Office,

Kullanchavadi, Cuddalore District-607 301

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