



WEB COPY



W.P.No.9888 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.9888 of 2025

Raja

.. Petitioner

Vs

1.The Sub Registrar
Mecheri Sub Registrar Office
Salem District
2.Senthil Kumar

3.Kandasamy

4.Palanisamy

.. Respondents

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 pertaining to the refusal check slip dated RFL/Mecheri/35/2024 27.12.2024 issued by the 1st respondent and quash the same, subsequently direct the 1st respondent to entertain and register the pathway rights agreement dated 27.12.2024 submitted by the petitioner for registration.

For Petitioner : Mr.C.Deepak Kumar

For 1st Respondent : Mr.P.Harish
Government Advocate



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ORDER

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This writ petition has been filed challenging the impugned refusal check slip dated 27.12.2024 issued by the 1st respondent and to entertain and register the pathway rights dated 27.12.2024 executed by the 2nd respondent in favour of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the 1st respondent. Though the names of the respondents 3 and 4 has been printed in the cause list, there is no representation on their behalf either in person or through counsel.

3. The refusal check slip has been issued by the 1st respondent mainly on the ground that apart from the 2nd respondent, the respondents 3 and 4 also have right over the pathway and that they have not signed the agreement.



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4. In the considered view of this Court, the 2nd respondent can only pass on the rights which he possess and he cannot take away the rights of the respondents 3 and 4 over the pathway.

5. With this clarification, there shall be a direction to the 1st respondent to register the agreement, if it is otherwise in order. It is reiterated that the registration of the agreement will not in any way take away the rights of the respondents 3 and 4.

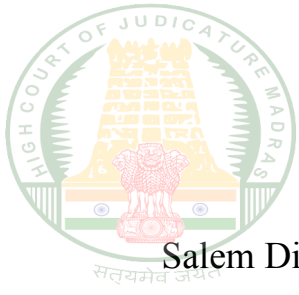
This writ petition is disposed of with the above direction. No costs.

30.04.2025

gya

To
The Sub Registrar
Mecheri Sub Registrar Office

3/5



Salem District

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N. ANAND VENKATESH, J.

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