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W.P.No.8540 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.8540 of 2025

Rani

.... Petitioner

Vs

1.The Sub Registrar
O/o. The Sub Registrar
Harur H.O.,
Harur - 636 903.

2.The Revenue Divisional Officer
O/o. Revenue Divisional Officer
Periyar Nagar
Harur - 636 903.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent vide impugned check slip No.70/2025 dated 03.01.2025 and quash the same and further direct the first respondent to register and return the sale deed presented by the petitioner vide Document No.P/Harur/1/2025 to the petitioner.



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W.P.No.8540 of 2025

For Petitioner : Mr.M.Raja Sekhar

For Respondents : Mr.U.Baranidharan
Special Government Pleader for R1

Mr.P.Sathish
Additional Government Pleader for R2

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 03.01.2025 and for a consequential direction to the first respondent to register the sale deed dated 02.10.2024 that was presented by the petitioner and to release the same.

2. Heard Mr.M.Raja Sekhar, learned counsel appearing for the petitioner and Mr.U.Baranidharan, learned Special Government Pleader for the first respondent and Mr.P.Sathish, learned Additional Government Pleader for the second respondent.



W.P.No.8540 of 2025

WEB COPY

3. The petitioner had sold the subject property to certain individuals and when she approached the first respondent for registering the sale deed, the impugned refusal check slip was issued by the first respondent. The refusal check slip has been issued mainly on two grounds. The first ground is that by proceedings dated 06.02.2024, the second respondent has ordered the revenue records to be retained in the same position due to the pendency of the suit in O.S.No.151/2013. The second ground is that civil proceedings are pending between the parties and an objection has been given by one Jayaraman from registering any documents pertaining to the subject property.

4. In the considered view of this Court, the petitioner became the owner of the subject property, by virtue of registered sale deed dated 28.12.2021. Thereafter, the petitioner submitted an application for issuance of patta and this was opposed by one Jayaraman. The matter reached the Revenue Divisional Officer, Harur, and the Revenue Divisional Officer through proceedings dated 03.02.2023 directed the cancellation of sub-division and for restoring the patta



W.P.No.8540 of 2025

to its original position in the name of the petitioner. There is no material to show that the order dated 03.02.2023 has been put to challenge and if at all the RDO has issued any proceedings dated 06.02.2024 and directed the revenue records to be retained in the original position, it was done subsequent to the order passed on 03.02.2023 and by then, the original position was retained in the name of the petitioner.

5. The second ground that has been raised is that there are pending litigations. The pending litigation by itself is not a ground for refusing to register the document and unless there is a restraint order passed by the Court, such registration of documents will be subject to the rule of *lis pendens*.

6. In the light of the above discussion, the refusal check slip issued by the first respondent dated 03.01.2025 is hereby quashed and there shall be a direction to the first respondent to register the sale deed dated 02.10.2024, if it is otherwise in order.



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W.P.No.8540 of 2025

7. In the result, the writ petition is allowed with the above directions. No costs.

21.03.2025

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ds

To:

- 1.The Sub Registrar
O/o. The Sub Registrar
Harur H.O.,
Harur - 636 903.
- 2.The Revenue Divisional Officer
O/o. Revenue Divisional Officer
Periyar Nagar
Harur - 636 903.



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W.P.No.8540 of 2025

N. ANAND VENKATESH., J

ds

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