



Writ Petition No.12240 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12240 of 2025

1. PALANISAMY
S/o.Kulandaigounder

2. PRAVIN
S/o.Palanisamy

Petitioners

Vs

1. The Sub Registrar
Tharamangalam Sub Registrar Office,
Tharamangalam, Omalur Taluk,
Salem District.

2.P.Nachiyappan
S/o.Palaniappagounder

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent issued vide Refusal Check slip in RFL/Tharamangalam/11/2025 dated 21.03.2025, quash the same and consequently, direct the 1st respondent to register the settlement deed dated 21.03.2025 presented by the 1st petitioner in favour of the 2nd petitioner without insisting upon to cancel the Sale Agreement dated



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07.11.2013 registered as Doc.No.5496 of 2013 and issue the registered settlement to the petitioners within the time stipulated by this Court.

For Petitioners : Mr.Doraisamy for Mr.V.Elangovan

For Respondents : Mr.U.Baranidharan,
Special Government Pleader [R1]

ORDER

This writ petition has been filed challenging the impugned refusal check slip issued by the first respondent dated 21.03.2025 and for a consequential direction to the first respondent to register the settlement deed executed by the first petitioner in favour of the second petitioner.

2. Heard Mr.Doraisamy, learned counsel for petitioners and Mr.U.Baranidharan, learned Special Government Pleader appearing for first respondent.

3. The impugned refusal check slip has been issued by the first respondent mainly on the ground that there is an earlier agreement of sale of the year 2013, which was registered as document No.5496 of 2013 and this document has not been cancelled.



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4. The issue that is involved in the present writ petition is squarely covered by the earlier order passed by the Division Bench of this Court in *N.Ramayee v. Sub-Registrar and another* [2020 (6) CTC 697]. The Division Bench has made it clear that mere execution of an agreement of sale, will not stop the owner of the property from dealing with the same.

5. In view of the same, the impugned refusal check slip issued by the first respondent dated 21.03.2025 is hereby quashed. There shall be a direction to the first respondent to entertain the settlement deed executed by the first petitioner in favour of the second petitioner and register the same, if it is otherwise in order.

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

07.04.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm



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N.ANAND VENKATESH, J

gm

To

The Sub Registrar
Tharamangalam Sub Registrar Office,
Tharamangalam, Omalur Taluk, Salem District.

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