



Writ Petition No.15666 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.15666 of 2025

and

W.M.P.No.17717 of 2025

CHITHRA

W/o Velu 1/9 East Street,
Pallagacheri, Villupuram District. -
606 201.

Petitioner

Vs

1. The District Collector
Kallakurichi, Kallakurichi District.
- 2.The District Revenue Officer,
Kallakurichi, Kallakurichi District.
- 3.The Sub - Register - 2
Sub - Register Office, Kallakurichi,
Kallakurichi District.
- 4.The Tahsildar
Sankarapuram, Kallakurichi
District.

Respondent(s)



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Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating to the Proceedings issued by the 3rd Respondent No.2 Sub-Register, Kallakurichi in Refusal No.RFL/No.2 Sub Registrar Kallakurichi/6/2024 dated 22.01.2024 and Quash the same and consequently, directing the Respondents to register the Sale Deed dated 22.01.2024 executed by petitioner in favour of one Mr.M.Pradheep for the land to the extent of 13.5 Cents (Equivalent to 5.5 Ares) of land in the S.F. New Survey No.121/13 located in Alathur Village, Sankarapuram Taluk, Kallakurichi, within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Ms.M.Kaviya
For Respondents : Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 22.01.2024 issued by the third respondent and for a consequential direction to the third respondent to register the sale deed dated 22.01.2024 executed by the petitioner and release the document.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.



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3. The third respondent has issued the impugned refusal check slip mainly on the ground that the title document has not been presented and there is pending suit in O.S.No.495 of 2019. On carefully going through the materials placed before this Court, it is seen that the fourth respondent has already sent a communication dated 16.04.2024 to the third respondent stating that the patta stands in the name of the petitioner with respect to the subject property.

4. In view of the same, the third respondent need not go into the title of the property. That apart, mere pendency of the suit will not be a bar for registering a document. Law is well settled on this issue.

5. In the light of the above discussion, the impugned refusal check slip issued by the third respondent dated 22.01.2024 is hereby quashed and there shall be a direction to the third respondent to register the sale deed, if it is otherwise in order.

In the result, the Writ Petition is allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

29.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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N.ANAND VENKATESH, J

mk

To

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