



Writ Petition No.14863 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.14863 of 2025

N.Harineswari
W/o.Tamilselvan

Petitioner

Vs

The Joint Sub Registrar-II,
Sub Registrar Office Namakkal,
Namakkal District.

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the entire records pertinent to the impugned Refusal Check Slip bearing No.RFL/No.2, Joint Sub Registrar Namakkal /71/2023 dated 12/12/2023 dated 12/12/2023 on the file of the Respondent refusing to register the Sale Deed dated 23/08/2023 and quash the same and consequently direct the Respondent to register the Sale Deed dated 23/08/2023 and release the same in the light of the judgment in Sabapathi Palanisamy and another - vs The Sub Registrar, Avinashi and another (W.P.No.17901 of 2020 dated 11/12/2020).

For Petitioner : Mr.P.Vimal Raj

For Respondent : Mr.P.Harish
Government Advocate



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ORDER

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This writ petition has been filed challenging the refusal check slip dated 12.12.2023 issued by the respondent and for a consequential direction to the respondent to register the sale deed dated 23.08.2023.

2. Heard Mr.P.Vimal Raj, learned counsel for petitioner and Mr.P.Harish, learned Government Advocate appearing for respondent.

3. The refusal check slip has been issued by the respondent mainly on the ground that an order of attachment has been passed in arbitration proceedings and the same has been registered before the respondent.

4. In the considered view of this Court, the parties to the sale deed are not parties to the arbitration proceedings and hence, the issue is squarely covered by the earlier order passed by this Court in W.P.No.17901 of 2020 dated 11.12.2020.

5. In the light of the above discussion, the impugned refusal check slip dated 12.12.2023 issued by the respondent is hereby quashed.



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There shall be a direction to the respondent to register the sale deed, if it

is otherwise in order.

This writ petition is allowed with the above direction. No costs.

29.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

The Joint Sub Registrar-II,
Sub Registrar Office, Namakkal,
Namakkal District.



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N.ANAND VENKATESH, J

gm

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