



Writ Petition No.13371 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.13371 of 2025

THIRUPATHI
S/o.Perumal, Door No. 12/404,
X Road, Sajjalpatti Village,
Rayakottai Post, Dekanikottai
Taluk, Krishnagiri.

Petitioner

Vs

The Sub Registrar
Rayakottai Sro,
Krishnagiri.

Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Refusal Check Slip in Refusal number RFL/RAYAKOTTAI/7/2025 dated 07.04.2025 on the file of the respondent and quash the same as illegal and unsustainable and further direct the respondent to admit and register the sale deed dated 07.04.2025 executed by Tmt.Vasanthi in favour of the petitioner with respect to 1/4 share in land comprised in Survey No.197/19A, Pillari Agraharam village, Denkanikottai Taluk, Krishnagiri.



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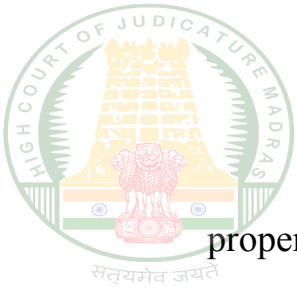
For Petitioner : Mr.I.Shanmugaraja
For Respondent : Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 07.04.2025 issued by the respondent and for a consequential direction to register the sale deed dated 07.04.2025 executed in favour of the petitioner.

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

3. The impugned refusal check slip has been issued by the respondent mainly on the ground that a partition suit has been filed by one Vasanthi in O.S.No.6 of 2025 claiming 1/4th share in the property and that the said suit is pending on the file of the District Munsif Court, Denkanikottai. In the considered view of this Court, the pendency of the civil suit by itself is not a bar for entertaining a document. It is also seen from the records that the property was originally owned by one Muniyappan through a registered sale deed dated 12.06.1970. The revenue records also stood in his name. The said Muniyappan died intestate leaving behind his wife, two sons and one daughter. The



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property was subdivided and 34 cents was disposed by the legalheirs of Muniyappan through various sale deeds. 29 cents in S.No.197/19A was sold in favour of a company in the year 2010. While doing so, 1/4th share of one of the daughters was also sold. It is under these circumstances, the daughter has filed a partition suit in O.S.No.6 of 2025 and the same is pending before the District Munsif Court, Denkanikottai. The daughter wanted to sell her 1/4th share in favour of the petitioner and accordingly, executed a sale deed with respect to 1/4th share in S.No.197/19A. This sale deed was refused to be registered on the ground that the civil suit is pending. The person, who is claiming for share has sold 1/4th share in favour of the petitioner. Therefore literally, the petitioner will be getting into the shoes of one of the co-sharers. Hence, there cannot be any bar in entertaining the sale deed and registering the same, if it is otherwise in order.

4. In the result, the impugned refusal check slip issued by the respondent dated 07.04.2025 is hereby quashed and there shall be a direction to the respondent to register the sale deed, if it is otherwise in order.

N.ANAND VENKATESH, J



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The Writ Petition is allowed in the above terms. There shall be
no order as to costs.

21.04.2025

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

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To

The Sub Registrar
Rayakottai Sro,
Krishnagiri.

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