

W.P.No.16633 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.05.2025

CORAM

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

W.P.No.16633 of 2025

Sakthivel

..Petitioner

Vs

1. The Sub Registrar,
Pennagaram, Dharmapuri.

2 Muniraji.

3 Rubanchakravarthy

4 Deepanchakravarthy

..Respondents

PRAYER: The writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari Mandamus to Call for the records of the 1st respondent in refusal number RFL/ Pennagaram/ 63/ 2025 dated 09.04.2025 and quash the same and consequently direct the respondent to register the sale deed dated 09.04.2025.

For Petitioner: Mr. M. Jaisingh

For Respondent : Mr. Karthik Jaganath
Government Advocate
for R1



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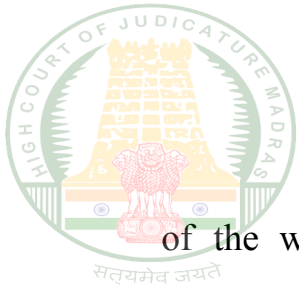
ORDER

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The writ petition has been filed for issuance of a writ of Certiorari Mandamus to Call for the records of the 1st respondent in refusal number RFL/ Pennagaram/ 63/ 2025 dated 09.04.2025 and quash the same and consequently direct the 1st respondent to register the sale deed dated 09.04.2025.

2. The case of the petitioner is that the property situated in Survey No.576/1 to an extent of 1.83 acres at Pennagaram Sub division, Pennagaram Taluk, Dharmapuri District, belonged to one Mr.Munusamy. A suit was presented in O.S.No.70 of 1987 on the file of the Subordinate Court, Dharmapuri for specific performance of an agreement of sale. The suit was decreed. On the strength of the said decree, E.P.No.48 of 1991 was presented before the Court. The learned Subordinate Judge executed a sale deed in favour of the said Munusamy and possession was also taken pursuant to the orders dated 27.12.2002.

3.Mr.Munusamy, after having obtained a property, on 07.07.2010, had executed a settlement deed, in favour of his son. The same was registered in Document No.1733 of 2010. The respondent nos.2 to 4, who are the ancesssors in interest of the said Munusamy executed a sale deed in favour



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of the writ petitioner on 09.04.2025. When the same was presented for registration, the first respondent refused to register the same on the ground that there is already another document over the very same survey number. Hence, the writ petition.

4. Heard Mr.M.Jaisingh, learned counsel for the writ petitioner and Mr.K. Karthik Jaganath, learned Government Advocate, for the respondent No.1.

5. The ground on which, the document has been refused to be registered is the fear of double entry in the records. The Hon'ble Mr.Justice Sathishkumar has held in ***T.Sakthivel /vs/ Sub Registrar in W.P.(MD)No.2214 of 2024 dated 17.10.2024*** that the Sub Registrar cannot refuse the registration of a document on the ground of double entry.

6. Respectfully applying the said judgment of the facts of the case, the impugned order is quashed. There shall be a mandamus as prayed for. The first respondent shall register the document within a period of two weeks from the date of uploading of the order on the website of this Court.



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V. LAKSHMINARAYANAN, J.

mrp/sms

7. With the above directions, this writ petition is allowed. No costs.

15.05.2025

mrp/sms

To

1. The Sub Registrar,
Pennagaram, Dharmapuri.

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