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W.P.No.23881 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 23881 of 2024

&

W.M.P.Nos. 26134 & 26135 of 2024

1.J.P.Balasubramaniam

2.S.K. Rajasekar

3.J.A. Dhandapani

4.K. Govindarajan

5.J. Ramachandran

...Petitioner

Vs.

The Joint Sub-Registrar
Dharmapuri District,
Dharmapuri

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus calling for the records of the respondent in his order dated 11.03.2024 having reference refusal number RFL / 1



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No. Joint Sub Registrar Dharmapuri / 7 / 2024 refusing to register the agreement for sale dated 30.01.2024 and quash the same and consequently direct the respondent to register the agreement for sale dated 30.01.2024 presented by the petitioners for registration by treating the un-registered Sangam by name Sri Kanniga Parameshwari Amman Devasthanam Vysya Valibar Sangam as an Association of Persons without insisting on registration of the said Sangam on payment of appropriate stamp duty.

For Petitioners : Mrs. Nalini Chidambaram
Senior Counsel
For Ms. C.Uma

For Respondent : Mrs. C.Meera Arumugam
Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To call for the records of the respondent in his order dated 11.03.2024 having reference refusal number RFL / 1 No. Joint Sub Registrar Dharmapuri / 7 / 2024 refusing to register the agreement for sale dated 30.01.2024 and quash the same and consequently direct



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the respondent to register the agreement for sale dated 30.01.2024 presented by the petitioners for registration by treating the un-registered Sangam by name Sri Kanniga Parameshwari Amman Devasthanam Vysya Valibar Sangam as an Association of Persons without insisting on registration of the said Sangam on payment of appropriate stamp duty”.

2. Heard the learned counsels on the either side and perused the records.

3. Section 22 – A of the Registration Act, which is inserted by the Tamil Nadu Act 48 of 1997, sets out the grounds under which the Registering Authority could refuse the registration. The reason that is given in the impugned order does not come within the four corners of the grounds given in Section 22 - A of the Act. Further, as the Sangam (Society) does not have any object and it appears to be a loosely held Association of group of youngsters, the impugned order is not



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sustainable. The respondent is duty bound to register the document.

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4. Accordingly, the Writ Petition is allowed. The impugned order dated 11.03.2024 is quashed. The petitioners shall re-present the receipt dated 11.03.2024. The Respondent is directed to register the document, within a period of 2 weeks from the date of its re-presentation. Consequently, the connected miscellaneous petitions are closed. No costs.

07.01.2025

Index : Yes/No
Internet : Yes/No
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To

The Joint Sub-Registrar

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Dharmapuri District,
Dharmapuri

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P.T. ASHA, J,

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