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W.P.No.23397 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.23397 of 2025

C.Raami

... Petitioner(s)

Vs.

1.The Sub Registrar,
Karimangalam,
Karimangalam Taluk,
Dharmapuri District.

2.V.E.Rajendran

...Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the Refusal Check Slip dated 27.11.2024 in RFL/ Karimangalam/296/2024 issued by the first respondent herein and quash the same and consequently direct the first respondent to register the Gift deed executed by the petitioner on re-presentation within a time frame to be stipulated by this Hon'ble court.

For Petitioner(s) : Mr.C.Munusamy

For Respondent(s) : Mr.U.Baranidharan for R1
Special Government Pleader



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ORDER

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By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to 2nd respondent is dispensed with.

2.The present writ petition is filed challenging the refusal slip issued by the first respondent dated 27.11.2024 in RFL/Karimangalam/296/2024, to quash the same and consequently direct the first respondent to register the gift deed executed by the petitioner within a time frame to be fixed by this Court.

3.It is submitted by learned counsel for petitioner that petitioner purchased a house site comprised in S.No.565/1A1A, measuring an extent of 1775 sq.ft., situated at Karimangalam Village, Karimangalam Taluk, Dharmapuri District vide Sale Deed dated 22.08.2016, registered as Document No.1469/2016 before the Sub Registrar, Karimangalam. Petitioner has been in continuous possession and enjoyment of the same. Thereafter, petitioner executed a gift deed/settlement deed dated 27.11.2024 in favour of her husband viz., Saluvaraja.



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4.It is submitted that gift deed/settlement deed presented by the petitioner was sought to be rejected on the premise that protest letter was received from the 2nd respondent, wherein it has been stated that Subordinate Court passed an order in O.S.No.267 of 2012 in E.P.No.42 of 2017 in favour of 2nd respondent herein.

5.Learned counsel for petitioner submitted that second respondent has no right over the subject property and protest letter was submitted only to drag on the proceedings. It is further submitted that property mentioned in the above suit is a different property and thus, the above objection has no bearing on registration of the subject property.

6.Learned Special Government Pleader for first respondent would submit that petitioner may re-present gift deed/settlement deed along with all relevant documents for registration and on such re-presentation, the same would be registered if it is otherwise in order, within a time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.



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7. In view thereof, the writ petition stands disposed of. It is open to

the petitioner to re-present gift deed/settlement deed along with all relevant documents for registration and on such re-presentation, the same would be registered if it is otherwise in order, within a period of two weeks from the date of receipt of a copy of this order. If for any reason, registration of gift deed/settlement deed is sought to be refused, first respondent shall issue refusal slip/order assigning appropriate reasons. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law.

01.07.2025

Index : Yes/ No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
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To

The Sub Registrar,
Karimangalam,
Karimangalam Taluk,
Dharmapuri District.



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MOHAMMED SHAFFIQ, J.

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