



W.P.No.39998 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.39998 of 2024

and

W.M.P.No.43293 of 2024

1.K.Chinnadurai
2.K. Anandakrishna
3.Palaniammal

... Petitioners

Vs.

1.The Inspector Of General Of Registration
No 100, Santhome High Road, Chennai 600 004

2.The Sub Registrar
Sub Registrars Office, Sulur

3.The Branch Manager
State Bank Of India, Tiruppur Branch, Tiruppur

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, Call for the records, quash the impugned refusal check slip Number RFL / Sulur / 1 / 2024 dated 06.01.2024 on the file of the 2nd respondent consequently direct the 2nd respondent to allow the petitioners for registration in respect of the property situated in Bogampatti village, Sulur SRO comprised in



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Survey Nos.133/1B, 134/3A2, measuring total extent of 10 Acres and 36

cents.

For Petitioner : M/s.B.Mnimaran

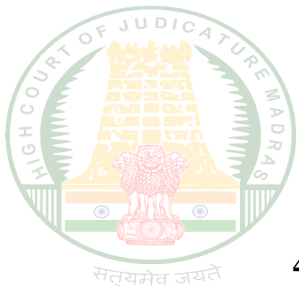
For Respondents : M/s.Shahjahan, Spl.GP
for R.1 & R.2

ORDER

Challenging the refusal check slip that has been issued by the 2nd respondent, the petitioners are before this Court.

2. The petitioners would submit that they are the absolute owners of the properties comprised in S.Nos.133/1B and 134/3A2, measuring an extent of 10 acres and 36 cents by of a release deed dated 15.03.2010.

3. The grievance of the petitioners is that when they had presented the sale deed dated 05.01.2024 before the 2nd respondent, the 2nd respondent had refused to register the same stating that the registration is prohibited in view of an attachment made in E.P.No.211 of 1989 in O.S.No.343 of 1977 on the file of the District Munsif Court, Tiruppur. Therefore the petitioner is before this Court.



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4. Heard the counsels on either side and perused the records.

5. A perusal of the records would indicate that the Execution Petition is with reference to a money decree that has been obtained in the year 1989. The said decree has not been executed in the manner known to law to date, nearly three decades since the Execution Petition has been filed. That apart, the order passed in the said Execution Petition cannot be enforced as the limitation period of 12 years has expired. Therefore, the ground on which the registration has been refused is no longer in existence.

6. Accordingly, the Writ Petition is allowed. The impugned refusal check slip dated 06.01.2024 is quashed. The 2nd respondent is directed to register the sale deed dated 05.01.2024 within a period of 2 weeks from the date of its representation by the petitioners. No costs. Consequently, the connected Miscellaneous Petition is closed.

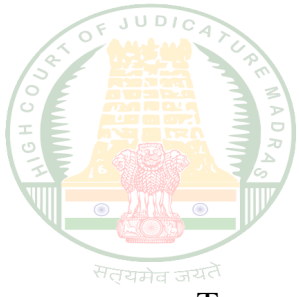
07.01.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To

1.The Inspector Of General Of Registration
No 100, Santhome High Road, Chennai 600 004

2.The Sub Registrar
Sub Registrars Office, Sulur

3.The Branch Manager
State Bank Of India, Tiruppur Branch, Tiruppur



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