



W.P (MD).No.1377 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.1377 of 2025

S.Kanthasamy

...Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Karur.

2.The Sub-Registrar,
No.2 Joint Sub Registrar,
Karur, Karur District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to Te impugned refusal slip issued by the second respondent in Refusal Number:RFL/Joint No.2 Sub-Registrar Karur/64/2024 dated 22.08.2024 and quash the same as illegal and consequently direct the second respondent to register the sale deed executed by the petitioner and release the same forthwith within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah
For Respondents : Mr.M.Sarangan
Additional Government Pleader



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ORDER

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This writ petition has been filed challenging the refusal check slip issued by the second respondent, dated 22.08.2024 thereby refused to register the sale deed which was presented for registration on the ground that 1/12th of the property was already attached by the Civil Court.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The property comprised in S.No.690/1A3 and S.No.691/C to an extent of 2 acre 38 cents situated at Manmangalam Village, Karur District was developed as Uzhavan City as layout and layout was approved by the authority vide approval No.23/2020. Accordingly, the entire land was sub-divided into house plots, in which, Plot No.4 was purchased by one K.Palanisamy to an extent of 1365 sq.ft vide Document No.3390/2020, dated 29.12.2020, one S.Hemalatha purchased the Plot Nos.8 and 34 vide document No.262/2021, dated 29.01.2021 and Document No.3391/2020 dated 29.12.2020 and one Rajeswari purchased the Plot Nos. 40 and 41 by the registered sale deed dated



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20.01.2021 vide Doc.No.161 of 2021. All the properties are intended to purchase by the petitioner and presented the same for registration. However, it was refused to register the same on the ground that 1/12th of the subject property was attached by the Civil Court in I.A.No.1 of 2020 in O.S.No.747 of 2020 on the file of the Principal Sub Court, Karur. Admittedly, 1/12th of the subject property was already attached in I.A.No.1 of 2020 in O.S.No.747 of 2020, thereafter, there is no sub-division. As per the layout, some of them were purchased their respective shares, however, admittedly, there is no sub-division made in the total extent of the property. Therefore, after the sub-division, except 1/12th share in the total extent of the property can be dealt with. Hence, the second respondent has rightly refused to register the sale deed and this Court finds no infirmity or illegality in the order passed by the second respondent and it is liable to be dismissed.

5. Accordingly, the writ petition is dismissed with liberty to the petitioner to represent the sale deed after getting sub-division in the manner known to law. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

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To

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G.K.ILANTHIRAIYAN, J.

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