



W.P (MD).No.1674 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM

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

W.P (MD).No.1674 of 2025

and

W.M.P(MD)No.1186 of 2025

N.Vasudevan

...Petitioner

Vs.

1.The District Registrar,
O/o.The District Registrar Office,
Thoothukudi,
Thoothukudi District.

2.The Sub-Registrar,
O/o.The Sub Registrar Office,
Udankudi,
Thoothukudi District.

3.The Managing Partner,
M.S.A.Chit Funds Financers,
No.460A, V.E.Road,
Thoothukudi,
Thoothukudi 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 the impugned Refusal Check Slip issued by the second respondent in his proceedings in No.RFL/உடன்குடி/56/2024 dated 29.08.2024 and quash the same as illegal and consequently to direct the second respondent to register the



W.P (MD).No.1674 of 2025

sale deed presented by the petitioner in temporary No.TP/192626515/2024 dated 29.08.2024 in the light of O.S.No.323 of 1985 District Munsif Court, Thoothukudi in E.P.No.4 of 1998 dated 08.10.1999 on the file of the District Munsif Court, Tiruchendur.

For Petitioner : Mr.V.Karthikraja
for M/s.Ajmal Associates

For R1 & R2 : Mr.M.Sarangan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip issued by the second respondent dated 29.08.2024 thereby refused to register the sale deed presented for registration on the ground that there is an order of attachment passed by the Civil Court in E.P.No.4 of 1998 on the file of the District Munsif Court, Tiruchendur.

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

3. The property comprised in S.No.313 situated at Mannadu Dhandupatthu Village, Tiruchendur Taluk, Thoothukudi District belonged to one Sekar. He approached the third respondent for financial assistance by



W.P (MD).No.1674 of 2025

execution of the promissory note. The said Sekar failed to repay the loan amount therefore, the third respondent filed a suit in O.S.No.323 of 1985 on the file of the District Munsif Court, Thoothukudi for recovery of money. While pending suit, an interim attachment order was passed by the Civil Court in respect of the subject property. While pending suit, the said Sekar also executed the settlement deed in favour of his minor son and daughter. After the decree, the third respondent filed execution petition in E.P.No.4 of 1998 and the entire amount has been settled by the said Sekar. Recording the same, the execution petitioner was closed. However, interim attachment order was passed by the Civil Court was not raised and the encumbrance reflected the interim attachment.

4. As per the settlement deed the daughter of the said Sekar had executed the sale deed in favour of the petitioner and the same was presented for registration. Therefore, the vendor of the petitioner has to approach the same Court to obtain appropriate orders and the same has to be recorded in the encumbrance of the subject property and thereafter, the petitioner can very present the sale deed for registration and the second respondent is directed to register the same and release the document, if it is otherwise in order.



W.P (MD).No.1674 of 2025

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5. It is also made clear that the limitation for presentation of document for registration can be waived on the sale deed to be presented for registration by the petitioner.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

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

23.01.2025

To

1.The District Registrar,
Thoothukudi,
Thoothukudi District.

2.The Sub-Registrar,
Udankudi,
Thoothukudi District.



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W.P (MD).No.1674 of 2025

G.K.ILANTHIRAIYAN, J.

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W.P (MD).No.1674 of 2025

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