



W.P(MD)No.3040 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.06.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.3040 of 2025
and
WMP(MD)Nos.2109 and 2110 of 2025

D.Jawahar

... Petitioner

vs.

The Sub Registrar,
Pettai Sub Registrar Office,
Pettai,
Tirunelveli District.

...Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Refusal Check Slip in Refusal Number RFL/Pettai/4/2025 dated 29.01.2025 on the file of the respondent and to quash the same as illegal and consequently, to direct the respondent to register the sale deed executed by the petitioner in favour of Mr.M.Abdulsubbahani without insisting for the production of the original sale deed document No. 186/2019 dated 21.01.2019 registered at Respondent registrar office for the land in an extent of 5 cents, Survey No.58, TS Ward No.6, Block No.21, TS No.2620, Pettai, Tirunelveli District within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondent : Mr.G.Suriya Ananth
Additional Government Pleader



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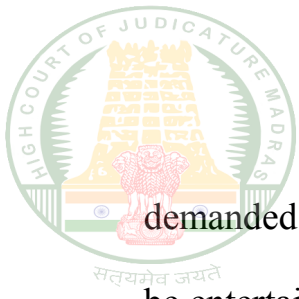
ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the Impugned Refusal Check Slip in Refusal Number RFL/Pettai/4/2025 dated 29.01.2025 on the file of the respondent and consequently, to direct the respondent to register the sale deed executed by the petitioner in favour of Mr.M.Abdulsubbahani without insisting for the production of the original sale deed document No. 186/2019 dated 21.01.2019 registered at Respondent registrar office for the land in an extent of 5 cents, Survey No.58, TS Ward No.6, Block No.21, TS No.2620, Pettai, Tirunelveli District within the time stipulated by this Court.

2.The contention of the petitioner is that as early as 2024, a larger extent of the property admeasuring 42.75 cents was registered before the Sub Registrar on 26.11.2024 and the respondent has not raised any objection while registering the said document. However, when the petitioner is intended to sell a portion of the property, the respondent is objecting stating that plan approval has not been obtained and also stating that the land belongs to Waqf Board. The said objections cannot be raised by the respondent.

3.The respondent objected that the petitioner has not produced the original document. It is a settled proposition that original document cannot be



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demanded by the Registration Department. Therefore, the said objection cannot be entertained. The next objection is that the property belongs to Waqf Board. If it is so, the Waqf Board is entitled to initiate proceedings as per law. The Registration Department cannot step into the shoes of the Waqf Board and raise objections. Therefore, said objection cannot be entertained. Thus, both the grounds are against the settled propositions of law.

4. Therefore, the impugned refusal slip is set aside and the respondent is directed to register the sale deed within a period of four weeks from the date of receipt of a copy of this order.

5. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed .

11.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

Tmg
To:

The Sub Registrar,
Pettai Sub Registrar Office,
Pettai,
Tirunelveli District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.3040 of 2025**

DATED :11.06.2025