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W.P(MD)No.7108 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P(MD)No.7108 of 2025

and

W.M.P(MD)No.7035 of 2025

Saroja

... Petitioner

Vs.

The Sub Registrar-Joint II,
Office of the Sub Registrar,
Dindigul,
Dindigul District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned refusal slip, dated 27.08.2024 issued by the respondent vide RFL/2 எண் இணை சார்பதிவாளர் திண்டுக்கல்/Book2/1 and quash the same as illegal and consequently direct the respondent herein to register the release deed, dated 27.08.2024 presented by the petitioner in respect of the property comprised in Sur.No.157, bearing old patta No.413 and new patta No.1237 admeasures to an extent of 0.46.16 Hectares (1 Acre and 14 Cents) situated at Sirumalai Village & Group, Dindigul East Taluk, Dindigul Joint II Sub Registration District, Dindigul Registration District, Dindigul District within a stipulated time period in accordance with law and to pass such further order as this Court.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy
For Respondent : Mr.R.Suresh Kumar
Additional Government Pleader



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ORDER

The document filed by the petitioner was not entertained on account of an order of attachment passed in I.A.No.1 of 2023 in O.S.No.311 of 2023. The learned Counsel appearing for the petitioner reports that the suit has been dismissed but attachment has not been raised. He further adds an application has been filed to raise the order of attachment.

2. As long as an attachment order subsists on the file of the Sub Registrar, Section 22B(3) of the Registration Act, 1908 bars the registration of a document. In case, an order is passed by the Trial Court raising the attachment, the petitioner is at liberty to present the document all over again.

3. With the above observation, this writ petition stands dismissed. Consequently, W.M.P(MD)No.7035 of 2025 stands dismissed. There shall be no order as to costs.

25.04.2025

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



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V.LAKSHMINARAYANAN, J.

BTR

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