

W.P.(MD)No.7297 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2025

CORAM :

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.7297 of 2025

T.Mothi Periyasamy

.. Petitioner

Versus

The Sub Registrar,
Kolathur,
Office of SRO, Kolathur,
Pudukottai District.

.. Respondent

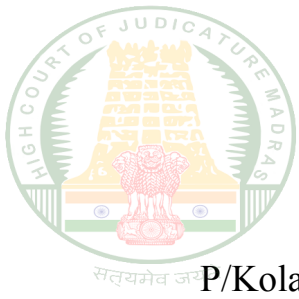
Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Certiorarified Mandamus calling for the records comprised in P/Kolathur/66/2024 dated 04.09.2024 on the file of the respondent and quash the same as arbitrary and illegal and consequently, release the sale deed in P/Kolathur/66/2024 dated 16.07.2024 forthwith.

For Petitioner : Mr.K.Prabhakar

For Respondent : Mr.R.Suresh Kumar,
Additional Government Pleader

ORDER

The writ petition has been presented seeking for a certiorarified mandamus to quash the proceedings of the respondent in



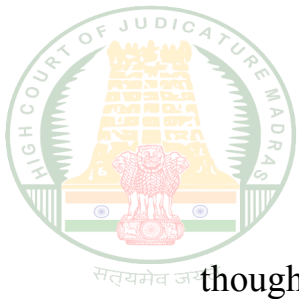
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P/Kolathur/66/2024 dated 04.09.2024, and further release the document in
P/Kolathur/66/ 2024 dated 16.07.2024.

2. The case of the petitioner is that the property situated in survey No. 561/2B1 in Kalamavur Village, Kulathur Taluk, Pudukottai District originally belonged to one R.Balasubramanian. The said R.Balasubramanian had purchased the property on 08.07.2022 in document No.4633 of 2022. The said Balasubramanian sold the property to two persons by name Arockiasamy and Mathi in document No.4290 of 2023 on 06.06.2023. The petitioner pleads, he had been in possession of portion of the property much prior to the sale made by the opposite two persons. The said Arockiasamy and Mathi in order to avoid any complications, alienated the property in favour of the writ petitioner on 16.07.2024. The extent of alienation is 0.06 cents. The alienation was, as the land stands today, as 'Punja' lands.

3. The petitioner pleads, he presented the document for registration with the respondent. The respondent refused to register the document on the ground that it comes within the teeth of Section 22A(2) of the Registration Act. The petitioner preferred an appeal to the Deputy Registrar pleading that the document will not attract the said provision. The petitioner pleads,



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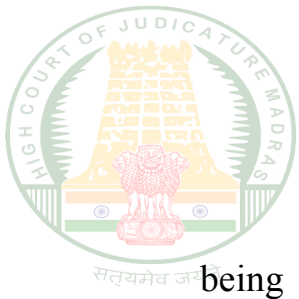
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though the sale deed had been registered on 04.09.2024, till date it has been kept pending. Hence, he came forward with the present writ petition.

4. When the matter came up for admission, Mr.R.Suresh Kumar learned Additional Government Pleader took notice on behalf of the respondent. The matter was adjourned repeatedly in order to enable the respondent to give instructions to Mr.R.Suresh Kumar. Finally when the matter was called on 28.03.2025, Mr.R.Suresh Kumar informed this Court that despite intimations, the respondent was not giving him instructions. This constrained me to give a direction on 04.04.2025, calling upon the respondent to be present in Court and give instructions to the learned Additional Government Pleader.

5. When the matter was taken up today, Mr.R.Suresh Kumar reported that the respondent is present in Court and has also given him the necessary instructions.

6. Mr.R.Suresh Kumar states that the document has been registered as document No.2225 of 2025 on 01.04.2025. He adds that the respondent, not



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being satisfied with stamp duty, has referred the matter under Section 47-A(1) to the appropriate authority under the Stamp Act.

7. As the grievance of the petitioner with regard to the non-registration of the document has been complied with, suffice it to record the statement of Mr.R.Suresh Kumar that the document has been registered. Hence, the relief sought for in the writ petition no longer survives for consideration.

8. It is open to the petitioner to raise such objection as he is entitled under law before the authority under the Stamp Act to plead that what has been sold to him has been valued properly, and that the reference under Section 47-A(1) is not tenable. Leaving open that issue, **this writ petition is closed** recording the statement of Mr.R.Suresh Kumar. No costs.

07.04.2025

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Index : yes/no

Speaking order/Non-speaking order

Neutral Citation : yes/no



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To

The Sub Registrar,
Kolathur,
Office of SRO, Kolathur,
Pudukottai District



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V.LAKSHMINARAYANAN, J.

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