



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.06.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No. 15803 of 2025

Kannika

... Petitioner

Vs.

The Joint-I Sub Registrar,
The Joint-I Sub Registration Office,
Thoothukudi,
Thoothukudi District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Certiorarified Mandamus***, calling for the records of the impugned refusal check slip in RFL/No.1 Joint Sub-Registrar Thoothukudi/19/2025 passed by respondent dated 07.02.2025 and quash the same as illegal and consequently direct the respondent to register the sale deed presented by the petitioner dated 07.02.2025.

For Petitioner : Mr.S. Vishnuvardhan

For Respondent : Mr.S.Saji Bino,
Special Government Pleader



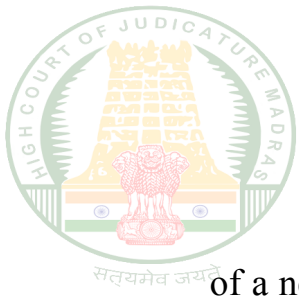
WEB COPY

ORDER

This writ petition is filed for *Writ of Certiorarified Mandamus*, to quash the impugned refusal check slip dated 07.02.2025 and also seeking consequential direction to the respondent to register the sale deed presented by the petitioner dated 07.02.2025.

2. The contention of the petitioner is that he has inherited the property under the Second Schedule through a partition deed executed among the family members, dated 07.01.2022. Thereafter, he proposed to sell the property through the said sale deed, which was refused by the respondent on the ground that the petitioner has created a common pathway and, therefore, under Section 22(A) of the Registration Act, the said document cannot be registered.

3. The said refusal reflects a total non-application of mind. As per the Second Schedule of the property in the partition deed, a common pathway was already cited as one of the boundaries on the western side, and the same has been mentioned in the present sale deed as well. Therefore, there is no fresh layout, division of plots, or creation



WEB COPY

of a new road. The already existing road has merely been referred to as a boundary in both the partition deed and the sale deed. Hence, the refusal slip issued by the respondent is erroneous.

4. Accordingly, this Writ Petition is allowed. The refusal slip issued by the respondent, dated 07.02.2025, is hereby quashed. The respondent is directed to register the sale deed produced by the petitioner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

11.06.2025

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

KSA

TO

The Joint-I Sub Registrar,
The Joint-I Sub Registration Office,
Thoothukudi,
Thoothukudi District.



WEB COPY



S.SRIMATHY, J

KSA

W.P.(MD) No. 15803 of 2025

11.06.2025