

W.P(MD)No.15384 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.15384 of 2025

Thangammal

... Petitioner

Vs.

The Sub Registrar,
Sub Registrar Office,
Mana Madurai,
Sivagangai 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 in pursuant to the respondent's impugned refusal slip No. RFL/ManaMadurai/7/2025, dated 08.05.2025 and to quash the same and consequently, to direct the respondent/Sub-Registrar to register the petitioner's sale deed, dated 24.04.2025 and consequently, to direct the respondent / Registrar to register the preliminary decree passed in A.S.No.53/1990, on the file of Sub Court, Ramanathapuram (Camp) at Madurai, dated 07.08.1991, under Section 23(1) of Tamilnadu Registration Act in accordance with law.



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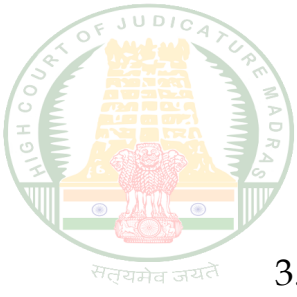
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For Petitioner : Mr.Jeremiah Gregory John
For Respondent : Mr.S.Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the respondent's impugned refusal slip No. RFL/ManaMadurai/7/2025, dated 08.05.2025 and consequently, to direct the respondent/Sub -Registrar to register the petitioner's sale deed, dated 24.04.2025 and consequently, to direct the respondent / Registrar to register the preliminary decree passed in A.S.No.53/1990, on the file of Sub Court, Ramanathapuram (Camp) at Madurai, dated 07.08.1991, under Section 23(1) of Tamilnadu Registration Act in accordance with law.

2.Through the refusal slip, the respondent has stated that in second appeal Nos.1429 and 1453 of 1992, it has been stated that the property belongs to some other person. Therefore, the respondent has directed the petitioner to produce the proof affidavit and also exhibit B12 to B14.



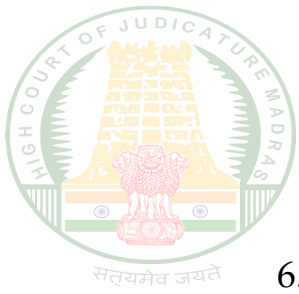
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3.The learned Counsel appearing for the petitioner submitted that in the said appeal suit, it has been clearly stated that the petitioner is entitled to 1/12 in A schedule. As far as the B schedule is concerned, the suit was dismissed in favor of the defendant against the plaintiff, which was confirmed in the second appeal. Therefore, the petitioner is entitled to register the sale deed.

4.The learned Special Government Pleader appearing for the respondent submitted that on perusal of the schedule of property, it is seen that no survey number is mentioned and therefore, the same cannot be registered.

(*)5.After considering the rival submissions, this Court is of the considered opinion that the petitioner ought to identify the property by producing some document. Therefore, the petitioner is directed to produce a certificate from the Village Administrative Officer by identifying the boundaries, as per the decree in A schedule property. The petitioner is directed to submit the certificate from the Village Administrative Officer within a period of four weeks from the date of receipt of a copy of this order and the respondent shall register the preliminary decree and also the sale deed dated 24.04.2025, within a period of four weeks therefrom.



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6.With the above observations, this Writ Petition is allowed. There shall

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be no order as to costs.

Sd/-

07.07.2025

(*)Corrected as per order of this Court dated 01/09/2025

Sd/-

Assistant Registrar

// True Copy //

/08/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

Tmg

To:-

(*)To be substituted to the order already despatched on 22/08/2025

1.The Sub Registrar,
Sub Registrar Office,
Mana Madurai,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-41111[F] dated 08/07/2025)

+1 CC to M/s.J.JOHN, Advocate (SR-41313[F] dated 09/07/2025)

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DATED : 07.07.2025

SB/18.08.2025 4P/4C

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JJ/01.09.2025 4P/4 C

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