



W.P.(MD)No.16094 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.16094 of 2024

and

W.M.P(MD)Nos.13986 & 13987 of 2024

A.Samsudeen

... Petitioner

/Vs./

1.The Sub Registrar,
Iluppur,
Iluppur Taluk,
Pudukottai,
Pudukottai District.

2.A.Jahir Hussain

3.Najma Begam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.131/2024 dated 27.06.2024 and quash the same and consequently direct the first respondent to register the sale deed presented by the petitioner and his brothers.



W.P.(MD)No.16094 of 2024

For Petitioner : Mr.J.Jeyakumaran
For R1 : Mr.D.Sadiq Raja
Additional Government Pleader
For R2 : Refused
For R3 to R5 : No appearance

ORDER

This writ petition has been filed challenging the refusal check slip issued by the first respondent dated 27.06.2024 thereby refused to register the sale deed which was presented for registration by the petitioner and two others.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The petitioner's father Abdullah had purchased the property comprised in S.No.276/10 to an extent of 23 cents situated at Parambur Village, Iluppur Taluk, Pudukottai District and it was sub divided as S.No.276/10A1A1. After sub division, a separate patta was issued by the revenue authorities in S.No.276/10B1 to an extent of 2.47 cents in Patta No.80 and Patta No.2227. Thereafter, the petitioner's father died on



W.P.(MD)No.16094 of 2024

13.02.2023 leaving behind his 7 legal heirs including the petitioner.

Among 7, the petitioner and two brothers had executed the sale deed in favour of the third party in respect of their equal share on 03.06.2024 and presented the same for registration. The first respondent refused to register the same on the ground that as per the original parent document, the petitioner's father had title over the property only to an extent of 23 cents for the property comprised in S.No.276/10A1A1. Though the petitioner's father issued patta, he had not title over the property to an extent of 2.47 cents. That apart, the petitioner failed to mention as undivided share. Therefore, on the objections raised by the other legal heirs, the first respondent has rightly refused to register the sale deed, which was presented for registration by the petitioner and others.

4. In view of the above, this Court finds no infirmity or illegality in the order passed by the first respondent and it is devoid of merits and is liable to be dismissed.

5. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed. The



W.P.(MD)No.16094 of 2024

WEB COPY

petitioner is at liberty to present the document for registration after ascertaining his share in the subject property.

29.01.2025

Index : Yes / No
NCC : Yes / No
am

TO:-

The Sub Registrar,
Iluppur,
Iluppur Taluk,
Pudukottai,
Pudukottai District.



WEB COPY



W.P.(MD)No.16094 of 2024

G.K.ILANTHIRAIYAN, J.

am

Order made in
W.P.(MD)No.16094 of 2024

Dated:
29.01.2025