



W.P(MD)No.17694 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17694 of 2025

P.Venkatachalapathy

... Petitioner

Vs

The Sub-Registrar,
Kariapatti Sub Register Office,
M4P3+ 53 C, Kariappati,
Virudhunagar,
Tamil Nadu – 626 106.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the refusal check slip proceedings No.RFL/Kariapatti/24/2025 dated 05.05.2025 on the file of the respondent, and quash the impugned order of refusal dated 05.05.2025 and consequently direct the respondent to consider and process the petitioner's application for registration of the sale deed dated 05.05.2025 and register the said sale deed in accordance with law.

For Petitioner : Mr.A.Maruthupandian

For Respondent : Mr.D.Sasi Kumar
Additional Government Pleader



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the refusal check slip dated 05.05.2025 and consequently, direct the respondent to register the sale deed dated 05.05.2025.

2. The contention of the petitioner is that the owner of the property, namely, Francis Zarom, has executed Power of Attorney in his favour. When the petitioner intended to sell the property through a sale deed, the respondent refused to register the sale deed stating that there is subsisting encumbrance, wherein a sale deed was registered in the year 2010.

3. According to the petitioner, there cannot be any sale deed since the original vendor had already executed a Power of Attorney in his favour. If the petitioner intends to remove the said encumbrance, he is at liberty to approach the Civil Court with appropriate prayer to remove the entry. As of now, the respondent cannot remove the entry. However, the respondent can make a contra entry while registering the document. Therefore, the respondent is directed to register the sale deed as a contra entry and release the document to the petitioner.



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4. With the above said directions, this Writ Petition is disposed of. There shall be no order as to costs.

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01.07.2025

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

jbr

To:

The Sub Register,
Kariapatti Sub Register Office,
M4P3 + 53 C, Kariapatti,
Virudhunagar,
Tamil Nadu 626 106.



WEB COPY



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.17694 of 2025

DATED : 01.07.2025