



W.P.(MD).No.26936 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.02.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.26936 of 2023

A.Meganathan

.. Petitioner

Vs.

- 1.The District Registrar,
Office of the District Registrar,
Dindigul,
Dindigul District.
- 2.The Sub Registrar,
Office of the Sub Registrar,
Nilakottai,
Dindigul District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Dindigul.
- 4.The Tahsildar,
Taluk Office,
Nilakottai,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records relating to impugned refusal check slip in RFL/NILAKOTTAI/57/2023 dated 26.09.2023



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issued by the 2nd respondent and quash the same and consequently direct the 2nd respondent to register the sale deed in Document dated 11.09.2023.

For Petitioner : Mr.Marichamy
for Mr.K.S.Muthu

For Respondents : Mr.P.T.Thiraviam
Government Advocate

ORDER

Heard Mr.Marichamy for the petitioner and Mr.P.T.Thiraviam, learned Government Advocate for the respondents.

2. The Writ Petition seeks to quash the refusal check slip issued by the second respondent in RFL/NILAKOTTAI/57/2023 dated 26.09.2023 and consequently, direct the second respondent to register the sale deed dated 11.09.2023.

3. The case of the petitioner is that the property belonged to one Seenisamy Pillai. He had purchased the same in the years 1943 and 1949. Subsequently, Seenisamy Pillai and his wife, Meenammal passed away. The legal heirs have executed a sale deed in favour of the petitioner on 11.09.2023. It was presented for registration. It was rejected by an order dated 26.09.2023 on the ground that the death certificate and legal heirship certificate of



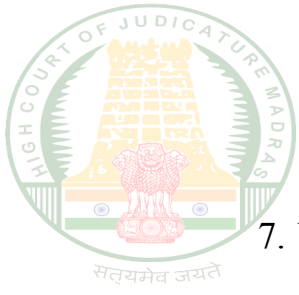
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Seenisamy Pillai and his wife, Meenammal had not been produced by the executants. Hence, this Writ Petition.

4. The petitioner has successfully obtained certificates from the Sub Registrar, Nilakottai that the death of Meenammal and Seenisamy Pillai had not been registered. Therefore, they have given a non-availability certificate dated 11.10.2023. This is an act subsequent to the impugned order.

5. The learned counsel for the petitioner invites my attention to the documents annexed along with the sale deed to point out that the other death certificates and legal heirship certificates are available.

6. The reason for refusal, being the non-production of the death certificate of Seenisamy Pillai and Meenammal and since the Registration Department themselves have certified that it was not registered, the petitioner shall re-present the document enclosing the non-availability certificate dated 11.10.2023. On such production, the second respondent shall register the document, if it is otherwise in order. As the documents (non-traceable certificates) are now available, the impugned order will not stand in the way of the petitioner to re-present the document, since it is a fresh cause of action.



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7. With the above direction, this Writ Petition is disposed of. There shall

be no order as to costs.

24.02.2025

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

To

1. The District Registrar,
Office of the District Registrar,
Dindigul,
Dindigul District.
2. The Sub Registrar,
Office of the Sub Registrar,
Nilakottai,
Dindigul District.
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V.LAKSHMINARAYANAN,J.

Lm

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