



W.P(MD)No.30049 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.30049 of 2024

J.Silambarasan

... Petitioner

Vs

1.The District Registrar,
O/o.The District Registrar,
St. Marks Road,
Johns College Opposite,
Palayamkottai,
Tirunelveli District.

2.The Sub-Registrar,
O/o.The Sub Registrar,
Radhapuram,
Tirunelveli District.

3.Hepshipa
4.Kalaiselvan

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Refusal Number.RFL/Radhapuram/book 2/2 dated 10.09.2024 on the file of the second respondent and quash the same as illegal and consequently directing the first respondent to conduct the enquiry and register the sale deed dated 22.07.2024 executed by the petitioner in favour of one Hepshipa W/o.Durai Great within the time frame stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar
for M/s.Roy and Roy Associates

For RR 1 & 2 : Mr.D.Sadiq Raja
Additional Government Pleader

For R – 3 : Mr.K.Vamanan

For R – 4 : No appearance

ORDER

This Writ Petition has been filed by the petitioner challenging the refusal check slip issued by the second respondent dated 10.09.2024 thereby refusing to register the sale deed executed by the petitioner in favour of the third respondent on the ground that there is a title dispute between the petitioner and the fourth respondent.

2.The properties comprised in Survey Nos.575/2A1B and 575/2A2A to an extent of 3 acres situated at Radhapuram Village, Tirunelveli District were purchased by the petitioner by the registered sale deed dated 20.01.2021 vide Document No.315 of 2021. In turn, the petitioner decided to sell the subject property and execute the sale deed in favour of the third respondent on 15.07.2024 and presented the same for registration. However, on



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the objections raised by the fourth respondent, the second respondent conducted an enquiry. During the enquiry, the fourth respondent withdrew his objections and said that he wrongly identified the subject property and objected to the same. However, there is a title dispute in respect of the subject property and as such, the second respondent refused to register the same.

3.The learned counsel appearing for the third respondent would submit that though the fourth respondent had withdrawn the objections from registering the sale deed, the property claimed by the fourth respondent and the property of the petitioner herein is one and the same and as such, the third respondent does not want to purchase the subject property. The third respondent also caused notice calling upon the petitioner to return the sale consideration which was received by the petitioner at the time of execution of the sale deed.

4.In view of the above, this Court finds no infirmity or illegality in the refusal check slip issued by the second respondent dated 10.09.2024. Hence, this Writ Petition is devoid of merits and the same is liable to be dismissed.



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5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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06.01.2025

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

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G.K.ILANTHIRAIYAN, J.

ps

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