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Raja vs the Sub Registrar

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SooperKanoon Citation : sooperkanoon.com/1821712

Court : Chennai

Decided On : Apr-30-2025

Judge : Honourable Mr Justice N. Anand Venkatesh

Appeal No. : WP/9888/2025

Appellant : RAJA

Respondent : The Sub Registrar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH Raja .. Petitioner Vs 1.The Sub Registrar Mecheri Sub Registrar Office Salem District 2.Senthil Kumar 3.Kandasamy 4.Palanisamy .. Respondents

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 pertaining to the refusal check slip dated RFL/Mecheri/35/2024 27.12.2024 issued by the st st 1 respondent and quash the same,

subsequently direct the 1 respondent to entertain and register the pathway rights agreement dated 27.12.2024 submitted by the petitioner for registration. For Petitioner : Mr.C.Deepak Kumar For 1st Respondent : Mr.P.Harish Government Advocate

ORDER

This writ petition has been filed challenging the impugned refusal check slip st dated 27.12.2024 issued by the 1 respondent and to entertain and register the nd pathway rights dated 27.12.2024 executed by the 2 respondent in favour of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government

st Advocate appearing for the 1 respondent. Though the names of the respondents 3 and 4 has been printed in the cause list, there is no representation on their behalf either in person or through counsel. st

3. The refusal check slip has been issued by the 1 respondent mainly on the nd ground that apart from the 2 respondent, the respondents 3 and 4 also have right over the pathway and that they have not signed the agreement. nd

4. In the considered view of this Court, the 2 respondent can only pass on the rights which he possess and he cannot take away the rights of the respondents 3 and 4 over the pathway. st

5. With this clarification, there shall be a direction to the 1 respondent to

register the agreement, if it is otherwise in order. It is reiterated that the registration of the agreement will not in any way take away the rights of the respondents 3 and 4. This writ petition is disposed of with the above direction. No costs. 30.04.2025 gya To The Sub Registrar Mecheri Sub Registrar Office Salem District

N. ANAND VENKATESH, J.

gya 30.04.2025

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