



W.P(MD)No.1726 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1726 of 2025

and

W.M.P.(MD)Nos.1232 and 1234 of 2025

M.Jahir Hussain

... Petitioner

Vs.

- 1.The District Collector,
O/o.The District Collector,
Madurai.
- 2.The District Revenue Officer,
O/o.The District Revenue Officer,
Madurai.
- 3.The District Registrar,
O/o.The District Registrar,
Madurai.
- 4.The Revenue Divisional Officer,
Melur, Madurai District.
- 5.The Sub Registrar
Thamaraipatti Sub Registrar Office,
Madurai District.
- 6.The Tahsildar,
Madurai East Taluk,
Madurai.

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7.Mumtaj

8.Mohammed Mustafah Fazil

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 4th respondent in his proceedings in Ni.Mu.No.1102/2023/A4 dated 08.11.2024 and the consequential refusal check slip issued by the 4th respondent in his proceedings in Refusal Number RFL/Thamaraipatti/1/2025 dated 07.01.2025 and quash the same as illegal and consequentially to direct the 5th respondent to register the Sale deed dated 11.12.2024 executed by the petitioner qua the land to an extent of 2 acre 25 cents comprised in S.No.36/2 Kuruthur Village Madurai East Taluk Madurai within a time stipulated period as framed by this Court.

For Petitioner : Mr.M.Mahaboob Athiff,
For Ms.H.Jasima Yasmin.

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1 to R6.
Mr.S.Selva Adhiya,
For Mr.G.Prabhu Rajadurai for R7 & R8.

ORDER

Heard both sides.

2.Sale deed dated 11.12.2024 executed by the petitioner in favour of a third party was presented for registration. The registering authority



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citing the communication received from the Revenue Divisional Officer, Melur declined to register the document. The communication of the Revenue Divisional Officer as well as the consequential refusal check slip are assailed in this writ petition.

3.The learned counsel for the contesting respondents points out that the Revenue Divisional Officer's order has been put to challenge before the District Revenue Officer, Madurai.

4.I do not propose to deal with the Revenue Divisional Officer's order in its entirety. I interfere only with that portion of the Revenue Divisional Officer's order which restrains the registering authority from entertaining any document that pertaining to the property in question. I had held in more than one case that the revenue authority cannot seek to restrain the registering authority from discharging his statutory functions. To that extent, the order of the Revenue Divisional Officer, Melur is interfered with.

5.Since the refusal check slip was issued as a consequence to the



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aforesaid communication of the Revenue Divisional Officer, Melur, it is also quashed. The petitioner is permitted to re-present the document. But it shall not be registered without hearing the respondents 7 and 8 and other interested persons, if any. I make it clear that the outcome of this writ petition will not have any bearing on the order to be passed by the registering authority. The contentions of the writ petitioner and private respondents are left open.

6.This writ petition is allowed on these terms. No costs.
Consequently, connected miscellaneous petitions are closed.

11.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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