



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

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CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

W.P. No. 27866 of 2026

and W.M.P.No.30524 of 2026

1. Marakkal Govindhan
W/o.Govindhan,
Residing at D.No.3/212/1,
Arakasanahali Pennagaram,
Dharmapuri- 636 811.
2. Mariammal
W/o.Chinnathambi,
Residing at D No.3/47,
Arakasanahalli,
Arakasanahalli Post, Pennagaram,
Dharmapuri-636 811.
3. Murugan Govindhan
S/o.Govindhan,
Residing at D No.3/212/1,
Arakasanahalli Pennagaram,
Arakasanahalli Post,Pennagaram,
Dharmapuri-636 811.
4. Vijaya China Angappan
W/o.China Angappan
Residing at No.2/88A,
Mudhukampatti, Senganur,
Kukkuta marathahalli,
Dharmapuri- 636 810.



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5. Govindamal

W/o.Sundhiram,

Residing at Veppampattaa Vattam,
Koththakkottai, Vaniyambadi,
Vellore- 635 752.

6. Settu Govindhan

S/o.Govindhan,

Residing at No.D No.3/212,
Arakasanahalli Pennagaram,
Arakasanahalli Post, Pennagaram,
Dharmapuri- 636811.

7. Santhosh Govindhan

S/o.Govindhan,

Residing at No.3/212,
Arakasanahalli Pennagaram,
Arakasanahalli Post, Pennagaram,
Dharampuri- 636811.

8. Vijanan Govindhan

S/o.Govindhan,

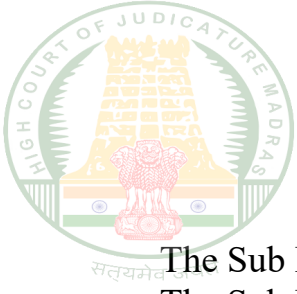
Residing at No.3/212,
Arakasanahalli Pennagaram,
Arakasanahalli Post,Pennagaram,
Dharampuri- 636811.

9. Kalaichelvi

D/o.Govindhan,

Residing at No.3.108,
Mel Street,
Koorkampatti, Sunjalanatham,
Dharampuri- 636810.

..Petitioner(s)



Vs

The Sub Registrar
The Sub Registrar Office Pennagaram,
No.346, Hohenakkal Road, Pennagaram Taluk,
Dharmapuri- 636810.

..Respondent(s)

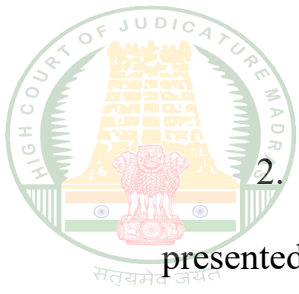
PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the Refusal Check Slip in Refusal Check Slip Number RFL / Pennagaram/ 25/ 2026 dated 06.02.2026 issued by the respondent and to quash the same as illegal, incompetent and ultra vires and consequently direct the respondent to register the Partition Deed dated 06.02.2026.

For Petitioner(s): Mr. G.Gautham Ram Vittal

For Respondent(s): Mr. Dominic S.David
Government Counsel

ORDER

The present Writ Petition has been filed challenging the Refusal Check Slip dated 06.02.2026 issued by the respondent.



2. The learned counsel for the petitioner submitted that the petitioner presented a Partition Deed dated 06.02.2026 for registration. However, the respondent refused to register the document on the ground that the subject property is covered by an order of attachment passed by the District Munsif Court, Dharmapuri.

3. The learned counsel further submitted that an order of attachment does not prohibit the co-sharers from effecting a partition of the property. The proposed partition would be subject to the subsisting order of attachment, which would continue to operate against the property even after the registration of the Partition Deed.

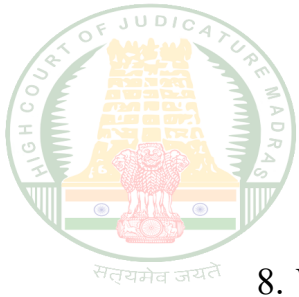
4. The learned Government Counsel submitted that if the order of attachment continues to bind the property notwithstanding the partition, the respondent has no objection to considering the document for registration in accordance with law.

5. Heard the learned counsel appearing for the petitioner and the learned Government Counsel appearing for the respondent. Perused the materials available on record.



6. This Court finds merit in the submission made by the learned counsel for the petitioner. The sole reason assigned in the Refusal Check Slip is the existence of an order of attachment passed by the Civil Court. Such an order, by itself, is not a legal impediment to the registration of a Partition Deed among the co-sharers. It is made clear that the registration of the Partition Deed shall not affect, dilute, or extinguish the order of attachment. The attachment shall continue to operate against the subject property notwithstanding the partition, until it is raised.

7. In view of the above, this Court is of the considered opinion that there is no legal impediment for the respondent to register the Partition Deed. Accordingly, the Refusal Check Slip dated 06.02.2026 is set aside. The petitioner is directed to re-present the Partition Deed before the respondent. Upon such re-presentation, the respondent shall register the document, if it is otherwise in order and complies with the requirements of the Registration Act. It is made clear that the order of attachment passed by the competent Civil Court shall continue to remain in force unless and until it is raised by the Civil Court.



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8. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

16-07-2026

Asi

To

The Sub Registrar
The Sub Registrar Office Pennagaram,
No.346, Hohenakkal Road, Pennagaram Taluk,
Dharmapuri- 636810.



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WP No. 27866 of 2



KRISHNAN RAMASAMY, J.

Asi

**W.P. No. 27866 of 2026
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