



W.P.(MD).No.6122 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-03-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.6122 of 2026

Ajith Bhoopathi

... Petitioner

Vs.

The Joint Sub-Registrar-I,
Joint Sub Registrar Office No.1,
Chernamahadevi,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERITORARIFIED MANDAMUS call for records in impugned check slip in RFL/1 Joint Sub-Registrar Cheranmahadevi /6/2026 dated 30.01.2026 on the file of the respondent and quash the same as illegal and consequently direct the respondent to accept sell deed dated 30.01.2026 for registration and register the same forthwith and pass such other order as this Honble court may deem fit and proper in the circumstances of the case thus render justice.

For Petitioner : Mr.S.Kumar

For Respondent : Mr.A.Baskaran
Additional Government Pleader



W.P.(MD).No.6122 of 2026

WEB COPY

ORDER

The writ petition is filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERITORARIFIED MANDAMUS call for records in impugned check slip in RFL/1 Joint Sub-Registrar Cheranmahadevi /6/2026 dated 30.01.2026 on the file of the respondent and quash the same as illegal and consequently direct the respondent to accept sell deed dated 30.01.2026 for registration and register the same forthwith and pass such other order as this Honble court may deem fit and proper in the circumstances of the case thus render justice.”

2. Heard Mr.S.Kumar, learned counsel for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondent.

3. By consent of both the parties, the writ petition is taken up for final disposal at the admission stage itself.

4. Upon hearing the learned counsel for the petitioner and on perusal of the impugned refusal check slip dated 30.01.2026, it can be seen that the registering authority refused to register the sale deed presented by the petitioner. The petitioner, being the purchaser under the



W.P.(MD).No.6122 of 2026

said document, claims to have acquired 40 cents of land. It is further seen that, upon verification of the encumbrance details relating to the subject property comprised in Survey No. 464/1, Melaseval Village, measuring a total extent of 2.62 acres, the registering authority noted that one V. Durairaj, vide Document No. 407 of 1987, had settled 45 cents of undivided share in favour of Parisutha Yovan Aalayam.

5. Thereafter, by another document vide Doc.No.407 of 1988, one Isakki Muthu sold an extent of 1 acre and 10 cents in favour of Selvaraj Nadar. Consequently, at that stage, only a balance extent of 1 acre and 7 cents remained available. However, subsequently, by Doc.No. 193 of 1999, Lakshmi Ammal @ Sundari, represented by her power agent Parvati, have once again sold the entire extent of 2.62 acres in favour of one Nainar. Thereafter, by Document No. 906 of 2007, one Vinayagam has purchased an extent of 1 acre and 62 cents of land. Out of the same, 72 cents have been settled by the said Vinayagam in favor of his son V.Perumal vide Doc.No.764 of 2018. The said perumal is now selling 40 cents of property out of the said 72 cents in favour of the petitioner herein.



W.P.(MD).No.6122 of 2026

WEB COPY

6. Upon finding the state of affairs, the registering authority had decided that unless the parties approach the Civil Court and get the title declared in their favor, the documents cannot be registered.

7. The learned counsel for the petitioner would submit that the petitioner is purchasing the property with eyes wide open. Even assuming that the entries in the encumbrance records are correct, the earliest transaction would, be valid to the extent of the remaining 1 acre and 7 cents. Out of the said extent, the petitioner is presently purchasing only 40 cents. Therefore, taking into consideration the above aspects, the petitioner has proceeded with the purchase of the property.

8. I have considered the rival submissions made on either side and and perused the material records of the case.



W.P.(MD).No.6122 of 2026

9. When persons such as the petitioner are purchasing the property with eyes wide open by knowing all the encumbrances, they are only taking a risk by fishing in troubled waters.

10. Under these circumstances, this may not be a factual situation where the document itself can be refused. If the original owner of the property or any other person claim title, it is for them and the petitioner to agitate the title at the appropriate time before the Civil Court.

11. Since the survey number is clearly mentioned, there is no doubt that the parties cannot claim any additional extent of land by using the Sale Deed.

12. In view thereof, I am of the view that the document can be registered as the petitioner is purchasing the property on his own risk. The writ petition is allowed on the following terms:-



W.P.(MD).No.6122 of 2026

WEB COPY

- i. The impugned order dated 30.01.2026 shall stand set aside.
- ii. The petitioner shall re-present the Sale Deed upon which the same shall be registered, if it is otherwise in order, subject to the satisfaction of the appropriate stamp duty and registration charges.
- iii. No costs.

06.03.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
rgm



W.P.(MD).No.6122 of 2026

WEB COPY

To

The Joint Sub-Registrar-I,
Joint Sub Registrar Office No.1,
Chernamahadevi,
Tirunelveli District.



WEB COPY



W.P.(MD).No.6122 of 2026

D.BHARATHA CHAKRAVARTHY, J.

rgm

W.P.(MD).No.6122 of 2026

06.03.2026