

W.P.(MD) No.7921 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.7921 of 2026

Kalaivanan

... Petitioner

Vs.

1.The Sub Registrar,
Udangudi Sub Registrar Office,
Udangudi, Thoothukudi District.

2.J.Jagubur Sadiq
[R2 is *suo motu* impleaded vide order dated
25.03.2026]

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus calling for the records of the Impugned Refusal Check Slip in RFL/Udangudi/7/2026 dated 16.02.2026 issued by the first respondent and quash the same and consequently directing the first respondent to receive and register the sale deed dated 10.02.2026 executed in favour of the petitioner in respect of an agriculture land in in Survey Nos.237/2 and 237/7 to an extent of 1 Acre and 2.50 cents situated at Lakshmipuram Village, Udangudi, Thiruchendur Taluk, Thoothukudi District, within stipulated time.

For Petitioner : Mr.R.Ganeshprabu



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For R1

: Mr.R.Parthiban
Government Standing Counsel

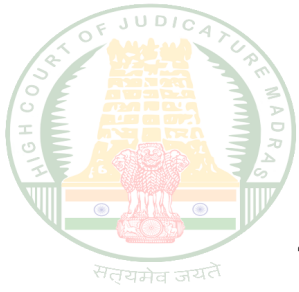
ORDER

The petitioner is before this Court challenging the impugned refusal slip, whereby registration of the sale deed dated 10.02.2026, upon its presentation, has been declined by the first respondent with the following observation:

1. இதர காரணங்கள்: வில்லங்கசான்று பரிசீலனை செய்யப்பட்டதில் தபசில் சொத்தினை உடன்குடி சார்பதிவக ஆவண எண் 1207/2009ன் படி ஜகுபர்சாதிக் என்பவர் கிரையம் பெற்றுள்ள நிலையில் நீதிமன்றம் மூலம் ஆணை பெற்று ஆவணத்தை தாக்கல் செய்ய வலியுறுத்தப்படுகிறது

2. The case of the petitioner is that the property in question originally belonged to one Tharmalinga Nadar, who is stated to have executed a registered Will dated 25.01.1990 in favour of his son, Vetrivel, registered as Document No.90 of 1990.

3. It is submitted that the testator died on 02.09.1996, and upon his demise, the said Vetrivel inherited the property. Thereafter, upon the death of Vetrivel, his three sons, namely, Dharmaraj, Amirtharaj and Saravanan, inherited the property.

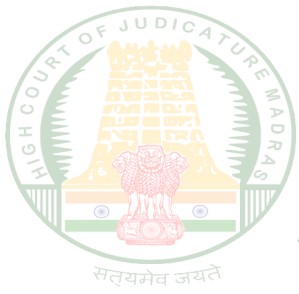


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4. It is further submitted that the petitioner has paid consideration to the said three sons of Vetrivel, who have executed a sale deed dated 10.02.2026 in his favour. However, the said document has been returned on the ground that there exists an entry in the name of the second respondent, namely, Jagubur Sadiq.

5. The learned counsel for the petitioner submits that the petitioner's vendor's grandfather, namely, Tharmalinga Nadar, had earlier instituted O.S.No.269 of 1995 seeking a declaration against M.S.S.Gulam Mohaideen Marakkayar in respect of the very same property, and that the said suit was decreed on 07.08.1997.

6. It is further submitted that the said Jagubur Sadiq is none other than a descendant of the said defendant, Gulam Mohaideen Marakkayar. However, no materials have been placed on record to substantiate the said claim. It is also stated that a sale deed has already been registered in favour of the said Jagubur Sadiq on 14.05.2009, registered as Document No.1207 of 2009.



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7. In view of the fact that there already exists an entry in respect of the subject property standing in the name of the said Jagubur Sadiq, this Court is of the view that the impugned refusal slip does not warrant interference and that the refusal of registration is justified at this stage.

8. However, under these circumstances, liberty is granted to the petitioner along with his vendors to take appropriate steps in accordance with law to have the sale deed dated 14.05.2009, registered as Document No.1207 of 2009, declared null and void by a competent Civil Court. Thereafter, it is open to the petitioner to present the document afresh for registration.

9. Accordingly, the writ petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
smn2

02.07.2026

To

The Sub Registrar,
Udangudi Sub Registrar Office,
Udangudi, Thoothukudi District.



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C.SARAVANAN, J.

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