

W.P.(MD) No.20223 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.20223 of 2026

and

W.M.P.(MD)No.14979 of 2026

1.S.Ramakrishnan

2Chandhiraraja

The petitioners represented through their Power Agent,
S.Guruprakash

... Petitioners

Vs.

1.The Sub Registrar,
Office of the Sub-Registrar,
Rajapalayam,
Virudhunagar District.

2.Yogasekaran

3.Sornam

4.Ayyammal

5.Subbiah

6.Mariyappan

... 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
pertaining to the impugned order in Na.Ka.No.102/2026 dated 01.04.2026



W.P.(MD) No.20223 of 2026

and quash the same as arbitrary and illegal and consequently direct the first respondent herein to receive and register the objection dated 03.02.2026 given by the petitioners.

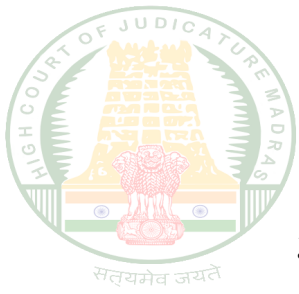
For Petitioners : Mr.M.Thirunavukkarasu

For R1 : Ms.P.Sudarkodi Natchiyar
Government Standing Counsel

ORDER

The Writ Petition is disposed of at the stage of admission after hearing the learned counsel for the petitioners and the learned Standing Counsel appearing for the official respondent, and after dispensing with notice to the private respondents, as no adverse order is proposed to be passed against them.

2. This is the second round of litigation before this Court. Earlier, the petitioners had approached this Court seeking the very same relief without impleading the private respondents, who were likely to be affected by any order passed on the merits. Consequently, the said Writ Petition in W.P.(MD)No.18731 of 2026 was dismissed on 06.07.2026, granting liberty to the petitioners to work out their remedy in the manner known to law.



W.P.(MD) No.20223 of 2026

WEB COPY

3. The facts on record reveal that the petitioners are the defendants 8 and 9 in O.S.No.24 of 1976 on the file of the Sub Court, Ramanathapuram at Madurai. The suit for partition was originally dismissed, and the said dismissal was confirmed by the First Appellate Court. However, the judgment and decree were reversed by the Principal Seat of this Court in S.A.No.1121 of 1980 by judgment and decree dated 28.10.1985. Pursuant to the preliminary decree passed by the Principal Seat of this Court in S.A.No.1121 of 1980 on 28.10.1985, the plaintiffs in O.S.No.24 of 1976, along with the legal representatives of the deceased plaintiff, initiated final decree proceedings.

4. It is submitted by the learned counsel for the petitioners that the final decree proceedings are still pending before the Principal District Munsif Court, Srivilliputhur, in I.A.No.202 of 1995 in O.S.No.218 of 1986 (formerly O.S.No.24 of 1976 on the file of the Sub Court, Ramanathapuram at Madurai).

5. The learned counsel for the petitioners further submitted that, while the aforesaid proceedings were pending, the private respondents obtained a favourable decree by filing a suit for specific performance in respect of the subject property, which is also the subject matter of the

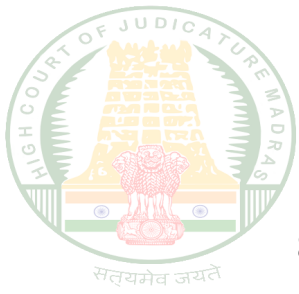


W.P.(MD) No.20223 of 2026

partition suit. It is further submitted that a compromise was entered into between the parties on 18.11.2021 and, pursuant thereto, in E.P.No.29 of 2022 in O.S.No.275 of 2021 on the file of the Sub Court, Rajapalayam, a Sale Deed was executed in favour of the second respondent by the other private respondents.

6. The learned counsel for the petitioners further submitted that the petitioners had filed a protest petition under Rule 55 of the Registration Rules seeking to prevent the registration of any further documents relating to the subject property. However, the said request was rejected by the Registering Authority on the ground that the matter was already pending before the competent Civil Court.

7. The request of the petitioners to restrain further alienation of the property or the registration of any further documents cannot be countenanced, particularly, in view of the fact that the petitioners have already instituted O.S.No.11 of 2026 on the file of the Sub Court, Rajapalayam, seeking a declaration that the Sale Deed dated 16.10.2024, registered as Document No.6050 of 2024 and executed pursuant to the order passed in E.P.No.29 of 2022 in O.S.No.275 of 2021, is null and void.



W.P.(MD) No.20223 of 2026

8. It is also seen that the petitioners have filed I.A.No.3 of 2026 in O.S.No.11 of 2026 before the Sub Court, Rajapalayam. In view of the pendency of the said interlocutory application, I am not inclined to grant the relief sought for in this Writ Petition at this stage. However, there shall be a direction to the learned Sub Judge, Rajapalayam, to take up I.A.No.3 of 2026 in O.S.No.11 of 2026 and dispose of the same on its own merits, as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

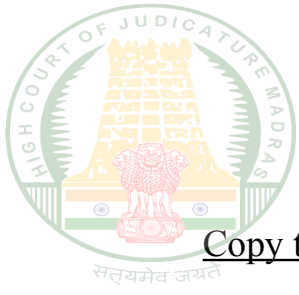
9. It is made clear that the learned Sub Judge, Rajapalayam, while deciding I.A.No.3 of 2026 in O.S.No.11 of 2026 or while passing the final judgment and decree in O.S.No.11 of 2026, shall do so independently and uninfluenced by any observations made in this order on the merits of the case.

10. The Writ Petition stands disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

NCC : Yes / No
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17.07.2026
(2/2)

Note:- Issue order copy on 20.07.2026.



W.P.(MD) No.20223 of 2026

Copy to:-

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The Sub Judge,
Rajapalayam,
Virudhunagar District.

To

The Sub Registrar,
Office of the Sub-Registrar,
Rajapalayam,
Virudhunagar District.



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W.P.(MD) No.20223 of 2026

C.SARAVANAN, J.

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W.P.(MD) No.20223 of 2026

17.07.2026
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