



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-08-2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 2816 of 2025

and

WMP No. 3124 of 2025

V.Jothi

Petitioner(s)

Vs

The Sub Registrar
Tanipadi, Tiruvannamalai
Tamil Nadu 606 708

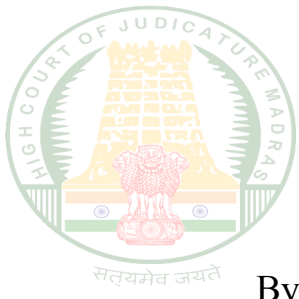
Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to register any sale deed which may be presented by the petitioner for the property in Survey No.81/5A measuring about 4372.152 square feet situated at Tiruvannamalai District, Tanipadi Sub Division Thanrampattu Village in the manner known to law.

For Petitioner(s): Mr.A.M.Venkata Krishnan

For Respondent(s): Mr.U.Baranidharan, SGP



ORDER

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By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of Mandamus to direct the respondent to register subject sale deed presented by the petitioner, for the property comprised in Survey No.81/5A measuring an extent of 4372.152 Sq.ft. situated at Tiruvannamalai District, Tanipadi Sub Division Thanrampattu Village.

3. It is submitted by the learned counsel for petitioner that petitioner's father/Arunachalam purchased the subject property vide Sale Deed registered as Document No.1663 of 2009. The petitioner states that he is the absolute owner of the subject property. However, his father's grandchildren, Raja and Palanivel Raja, allegedly fabricated a settlement deed in their favour, which was later cancelled by Arunachalam i.e., petitioner's father. Despite this, Raja and Palanivel Raja mortgaged the property to Axis Bank, and the petitioner is now



facing issues in registering a sale deed due to objections raised by them. The petitioner contends that the refusal to register the sale deed by the respondent is illegal and arbitrary. Petitioner thus filed the present writ petition seeking registration of sale deed.

4. At the outset, it is submitted by learned Special Government Pleader appearing on behalf of the respondents that the authorities declined to register the sale deed presented by the petitioner due to an existing mortgage over the property and cancellation of a settlement deed by the petitioner's father. It was pointed out that this may border on enquiry as to title which is outside domain of the Registering Authority. Learned Special Government Pleader would then submit that petitioner may represent the sale deed for registration, if any sale deed is represented, the same would be registered if it is otherwise in order. If for any reason, the same is sought to be rejected, the appropriate authority would issue refusal check slip/order assigning reasons for such refusal. Agreed to by the learned counsel for petitioner.



5. In view thereof, the Writ Petition stands disposed of. It is open to the petitioner to represent the sale deed for registration, the concerned respondent shall consider and register the document if it is otherwise in order, if for any reason the registering authority finds that the registration ought to be refused, the same shall be done after assigning reasons. It is made clear that this Court has not expressed any views on merits and it is open to the concerned respondent to consider the sale deed as and when presented for registration on its own merits and in accordance with law. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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The Sub Registrar
Tanipadi, Tiruvannamalai Tamil Nadu
606 708



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MOHAMMED SHAFFIQ J.

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