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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**WP No. 10245 of 2025
and WMP No. 11530 of 2025**

Madhushudhanan S Menon

Petitioner(s)

Vs

1. The Inspector General Of Registration
Santhome High Road, Chennai.

2.The District Registrar
102, State Bank Road,
District Collectorate Campus,
Coimbatore.

3.The Sub Registrar
Old No.113, 114, New No.420,
Trichy Road, Sulur, Coimbatore.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for records in refusal check slip No.RFL/ Sulur/ 40/ 2024 dated 20.09.2024 on the file of the 3rd



respondent and quash the same as wholly illegal and jurisdiction and thereby render justice.

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For Petitioner(s): Mr.Govinda Chandrasekar

For Respondent(s): Mr.B.Vijay
Additional Government Pleader

ORDER

This writ petition has been filed challenging the refusal Check Slip issued by the 3rd respondent dated 20.09.2024 and for a consequential direction to the 3rd respondent to entertain the Sale Deed executed by the petitioner in favour of his son and register the same.

2.Heard Mr.Govinda Chandrasekar, learned counsel appearing on behalf of the petitioner and Mr.B.Vijay, learned Additional Government Pleader appearing on behalf of the respondents.

3.The only reason that has been assigned by the 3rd respondent in refusing to register the Settlement Deed is that there is an order of attachment passed in arbitration proceedings by the Arbitral Tribunal.

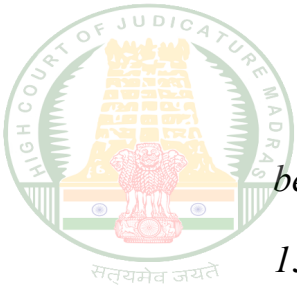


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4. Admittedly, the petitioner is not a party in the proceedings and the said order of attachment does not bind the petitioner. The very same issue was considered by this Court in an earlier writ petition in W.P.No.5264 of 2024 in Chinnammal vs. The Sub Registrar Joint II, Integrated Complex, Salai Vinayagar Road, Dharmapuri District and while passing the order on 24.02.2025, this Court held as follows:

*4. In the considered view of this Court, the petitioner or the vendor are not parties to the arbitration proceedings and that apart, the subject property is situated under S.No.166/2A5 and what has been attached is not this particular property. This Court has repeatedly held that insofar as the order of attachment is concerned, it is only binding on the parties to the proceedings and that cannot be made as a ground for refusing to register the Sale Deed. Useful reference can be made to the judgement of this Court in **C.Govindasamy and another vs. The Sub Registrar-II, Gobichettipalayam, No.18, Old Hospital Road, Gopichettipalayam and others reported in 2020 SCC Online Mad 27971.***

5. In the light of the above, the impugned refusal Check Slip issued by the respondent is hereby quashed and there shall



be a direction to the respondent to register the Sale Deed dated 15.11.2024, if it is otherwise in order.

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5.The above order is squarely applicable to the facts of the present case.

6.In view of the above, the impugned refusal Check Slip issued by the 3rd respondent dated 20.09.2024, is hereby quashed and there shall be a direction to the 3rd respondent to register the Settlement Deed, if it is otherwise in order.

7.In the result, this writ petition is allowed with the above directions. No Costs. Consequently, connected miscellaneous petition is closed.

02-04-2025

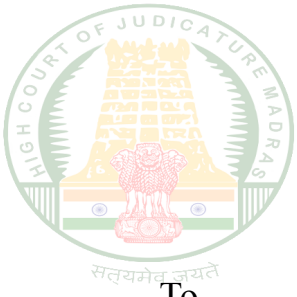
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To
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N.ANAND VENKATESH J.

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