



Writ Petition No.11368 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.11368 of 2025

A.Naveed Mohammed
S/o.Ayub

... petitioner

Vs

1. The Inspector General of Registration
100, Santhome High Road
Raja Annamalaipuram
Chennai-600 028.
2. The Sub-Registrar
Palacode
Dharmapuri District.
3. Vanthi
W/o.Late Ramaru
4. Datchayani
W/o.Anand

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the 2nd respondent to entertain and register the sale deed or any other deeds in respect of the land belonging to the petitioner and measuring an extent of 20.5 cents in Survey No.583/A1D2 situated at Erranahalli Village, Palacode Taluk, Dharmapuri District.



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For Petitioner : Mr.A.M.Esakkiappan
For Respondents : Mr.K.Karthick Jagannath
Government Advocate
for R1 and R2

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to entertain and register the sale deed executed by the petitioner with respect to the subject property and to release the same.

2. Heard Mr.A.M.Esakkiappan, learned counsel for the petitioner and Mr.K.Karthick Jagannath, learned Government Advocate for R1 and R2.

3. The petitioner is claiming the right and title over the subject property by virtue of a registered settlement deed dated 25.09.2023 registered as Document No.3915 of 2023. The petitioner wanted to deal with the subject property and hence, he executed a sale deed and the same was not entertained by the second respondent on the ground that there is a pending suit in O.S.No.108 of 2024 on the file of the District Munsif Court, Palacode and that an objection has been received in this



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regard.

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4. In the considered view of this Court, mere pendency of the suit cannot be a ground to refuse the registration of a sale deed. Law on this issue was settled by this Court in ***A.Abdullasa v. Inspector General of Registration and others [2021 (2) CWC 451]***. At the best, such a sale will be subject to the rule of *lis pendens*.

5. In view of the above, in the absence of any restraint order passed by the competent Civil Court, the second respondent has to entertain the sale deed and register the same, if it is otherwise in order.

The Writ Petition is disposed of in the above terms. There shall be no order as to costs.

28.03.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1. The Inspector General of Registration
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Chennai-600 028.
2. The Sub-Registrar
Palacode
Dharmapuri District.



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N.ANAND VENKATESH, J

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