



Writ Petition No.13866 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.13866 of 2025

1. Ceylon And India General
Mission

Rep By Its Chairman Thyagaraj,
S/o.Late Muniswamappa, Having
Office At No.1189, Nehru Main
Road Kamanahalli, Bangalore-
560084

2.M.Benjamin Timothy
S/o.Manesh, Secretary Of Ceylon
And India General Mission,
Having Office At No.1189, Nehru
Main Road Kamanahalli,
Bangalore- 560084

Petitioner(s)

Vs

The Joint Sub Registrar No.1
District Registrar Office,
Gobichettipalayam.

Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of



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India seeking issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order made in RFL/No.1, Joint Sub Registrar, Gobichettipalayam/8/2025, dated 08.03.2025 and quash the same, and consequently, direct the respondent to register the sale Agreement dated 05.03.2025.

For Petitioners : Mr.V.Anandhamoorthy
For Respondent : Mr.K.Karthick Jagannath
Government Advocate

ORDER

This writ petition has been filed challenging the impugned refusal check slip issued by the respondent dated 08.03.2025 and for a consequential direction to the respondent to register the sale agreement dated 05.03.2025 executed by the petitioner in favour of private individuals.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

3. The impugned refusal check slip has been issued by the respondent mainly on the ground that there is a serious dispute with regard to the title and various persons are claiming right over the property.



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4. In the considered view of this Court, the respondent cannot go into the title dispute in view of the judgment of Apex Court in ***Civil Appeal No.3954 of 2025 dated 07.04.2025 [K.Gopi Vs. The Sub-Registrar and others]***. The Apex Court has made it very clear that the Registering Officer is not concerned with the title held by the executant and he has no adjudicating power to decide the title and Rule 55A(1) was held to be ultra vires Section 69 of the Registration Act. In view of the same, the impugned refusal check slip issued by the respondent has to be interfered with on this ground alone.

5. In the upshot, the impugned refusal check slip dated 08.03.2025 issued by the respondent is hereby quashed and there shall be a direction to the respondent to entertain the sale agreement and register the same, if it is otherwise in order.

The Writ Petition is allowed with the above direction. There shall be no order as to costs.

21.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order



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N.ANAND VENKATESH, J

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To

The Joint Sub Registrar No.1
District Registrar Office, Gobichettipalayam.

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21.04.2025

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