



Writ Petition No.12204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12204 of 2025

Vimal
S/o. Mahaveer

Petitioner

Vs

1. The Sub Registrar
Sub Registrar Office, Saram Village,
Avaraippakkam, Villupuram District.

2.V.Pankaj,
S/o. Late.Vidhyaasanth

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records in Refusal Check Slip dated 06.02.2025 issued by the 1st respondent and quash the same as illegal and contrary to law and direct the 1st respondent to register by the sale deed dated 06.02.2025 in TP/209193104/2025 for the land comprised in New S.Nos.101/6a, 101/7 and 101/8, 101/9a situated at Saram Village, Avaraipakkam Post, Tindivanam Taluk, Villupuram District.

For Petitioner : Dr.A.Thiyagarajan
for M.S.Aravind Raj

For Respondents : Mr.P.Harish
Government Advocate [R1]



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ORDER

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This writ petition has been filed challenging the refusal check slip dated 06.02.2025 issued by the first respondent and for a consequential direction to the first respondent to register the sale deed dated 06.02.2025 executed by the petitioner with respect to the subject property.

2. Heard Dr.A.Thiyagarajan, learned counsel for petitioner and Mr.P.Harish, learned Government Advocate appearing for first respondent.

3. The refusal check slip has been issued by the first respondent by invoking the power under Section 55-A of the Registration Rules. This is on the ground that the same property has been dealt with by some other person also. This rule was put to challenge and the Apex Court in Civil Appeal No.3954 of 2025 [*K.Gopi v. The Sub-Registrar & others*] through judgment dated 07.04.2025 has held that Rule 55-A(i) is inconsistent with the provisions of the Registration Act and in view of the same, the said rule was held to be invalid.



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4. In the light of the above judgment of the Apex Court, the refusal check slip issued by the first respondent is quashed. There shall be a direction to the first respondent to entertain the sale deed and register the same, if it is otherwise in order.

This writ petition is allowed with the above direction. No costs.

16.04.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To

The Sub Registrar
Sub Registrar Office, Saram Village,
Avaraippakkam, Villupuram District.



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N.ANAND VENKATESH, J

gm

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