



WEB COPY

WP No. 13683 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 13683 of 2025

1. P.Arulraj

S/o.Perumal, Door No. 54b, Puthiran
Street, Sangagiri, Salem Dist.,

2.M.Ilayaraja

S/o.Marimuthu, Door No.1/447/ 5,
N.Puthur, Naduvaneri, Sangagiri,
Salem Dist.,

3.M.Rajendiran

S/o. Marimuthu, Door No. 1/446,
Anjakadu, N Puthur, Naduvaneri,
Sangagiri, Salem Dist.,

4.K.Pachiannan

S/o.Kandasamy, Door No.5/206,
Idayankadu, Kaligoundam Palayam,
Sangagiri, Salem Dist.,

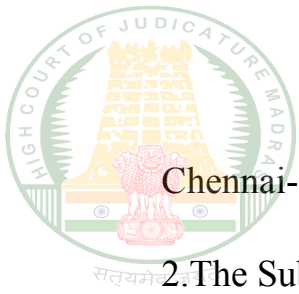
Petitioner(s)

Vs

1. The Inspector General Of

Registration

Santhome High Road, Santhome,



Chennai- 600 004.

2.The Sub Registrar

Sub Registrar Office,

Mallasamudhiram, Thiruchangodu

Taluk, Namakkal Dist.,

Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issue of writ of Certiorarified Mandamus to call for the records on the file of the 2nd Respondent herein vide Refusal Order No.RFL / Mallasamudhiram/ 83/ 2025, dated 01.04.2025, and quash the same consequently direct the 2nd respondent to register the rectification deed dated 01.04.2025 and pass orders.

For Petitioner(s): Mr.R.Ramesh

For Respondent(s): Mr.U.Baranidharan

Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 01.04.2025 issued by the 2nd respondent and for a consequential direction to the 2nd respondent to register the rectification deed dated 01.04.2025.

2. Heard Mr.R.Ramesh, learned counsel for the petitioner and MR.U.Baranidharan, learned Special Government Pleader for respondents 1 and 2.



3. The refusal check slip has been issued by the 2nd respondent questioning the right and title of the parties to the rectification deed. On going through the documents, it is seen that the 2nd respondent has already registered the sale deed in the year 2024 as document no.3965 of 2024 which dealt with 1/4th share in the property. In view of the same, the vendors of the petitioner were entitled to 3/4th share. In any case, it is not necessary for the 2nd respondent to go into the title to the property deny registration on that ground. Rule 55A (1) of the Registration Rules has already been struck down by the Apex Court in ***K.Gopi v. Sub-Registrar and others [2025 (2) CTC 777]***. The Apex Court has held that the Registrar cannot go into the title over the property.

4. In the light of the above discussion, the impugned refusal check slip issued by the 2nd respondent dated 01.04.2025 is hereby quashed and there shall be a direction to the 2nd respondent to entertain and register the rectification deed, if it is otherwise in order.

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

23-04-2025

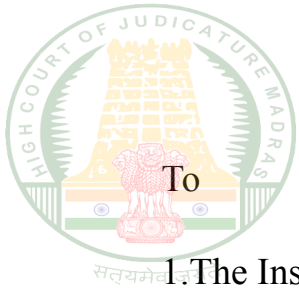
rka

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No



To

1.The Inspector General Of

Registration

Santhome High Road, Santhome,
Chennai- 600 004.

2.The Sub Registrar

Sub Registrar Office,

Mallasamudhiram, Thiruchangodu
Taluk, Namakkal Dist.,



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