



Writ Petition No.15339 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 29.04.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.15339 of 2025**

A.N.Boopathi  
S/o.Natarajan

Petitioner

Vs

1. The Inspector General of Registration,  
100, Santhome High Road, Chennai 28.

2.The Sub Registrar,  
Office of Sub Registrar, Annur, Annur.

3.The Executive Officer  
Moppiripalayam Village Panchayat,  
Moppiripalayam, Coimbatore.

4.Lakshmi Alias Shanthi  
W/o Subbagounder Ganapathy

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 2nd respondent vide letter dated 18.03.2025 and quash the same as illegal, arbitrary and non-est in law and consequently direct the 2nd to respondent to register the gift deed dated 17.03.2025 and release the same within the time stipulated by this Court.

For Petitioner : Mr.B.Vijay for Mr.M.A.Arshad



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For Respondents : Mr.R.Sasikumar,  
Government Advocate [R1 & R2]  
Mr.V.Ramesh,  
Government Advocate [R3]  
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### **ORDER**

This writ petition has been filed challenging the impugned communication of the second respondent dated 18.03.2025 and for a consequential direction to the second respondent to register the gift deed dated 17.03.2025.

2. Heard Mr.B.Vijay, learned counsel for petitioner, Mr.R.Sasikumar, learned Government Advocate appearing for respondents 1 and 2 and Mr.V.Ramesh, learned Government Advocate appearing for third respondent.

3. The refusal check slip has been issued by the second respondent mainly on the ground that a protest has been made by the adjacent land owner to the effect that the property involves a common pathway.

4. In the considered view of this Court, pursuant to the



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judgment of the Apex Court in ***K.Gopi v. Sub-Registrar and others***

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5. It is made clear that mere registration of a document will not create any new right and the person can only convey such right which he possesses. With this caveat, this Court is inclined to issue necessary direction to the second respondent.

6. In the light of the above discussion, the impugned communication of the second respondent dated 18.03.2025 is hereby quashed and there shall be a direction to the second respondent to register the gift deed dated 17.03.2025, if it is otherwise in order.

**N.ANAND VENKATESH, J**

gm



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

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**29.04.2025**

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order  
gm

To

1. The Inspector General of Registration,  
100, Santhome High Road, Chennai 28.

2.The Sub Registrar,  
Office of Sub Registrar,  
Annur, Annur.

3.The Executive Officer  
Moppiripalayam Village Panchayat,  
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