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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 14518 of 2025

S.Sakthivel

Petitioner(s)

Vs

1. The Revenue Divisional Officer
Virudhachalam, Cuddalore District

2. The Sub Registrar
Pennadam
Thitakudi Taluk,
Cuddalore District

3. Manikodi

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to the Refusal Check Slip dated 06.03.2025 in RFL/Pennadam/31/2025 issued by the second respondent herein and quash the same and consequently direct the second respondent to register the Sale deed executed by the petitioner on re-presentation within a time frame to be stipulated by this Court.



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For Petitioner(s): Mr.C.Munusamy
For Respondent(s): Mr.P.Harish
Government Advocate
for R1 and R2

ORDER

This writ petition has been filed challenging the impugned refusal Check Slip issued by the 2nd respondent dated 06.03.2025 and for a consequential direction to the 2nd respondent to register the Sale Deed executed by the petitioner and to release the document.

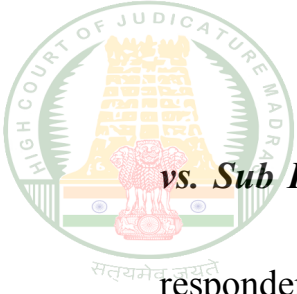
2.Heard Mr.C.Munusamy, learned counsel appearing on behalf of the petitioner and Mr.P.Harish, learned Government Advocate appearing on behalf of respondents 1 and 2.

3.The refusal Check Slip has been issued on two grounds. The first ground is that an objection has been received from one Manikodi stating that a suit is pending. The 2nd ground is that a communication has been received from the Revenue Divisional Officer dated 11.01.2024 to the effect that no document should be entertained pertaining to the subject property.



4. Insofar as the 1st ground is concerned, the mere pendency of a suit will not be a ground to refuse registration of a document. The law on this issue is now too well settled. Insofar as the second ground, the communication made by the Revenue Divisional Officer was put to challenge before this Court in W.P.No.38178 of 2024 and this Court allowed the writ petition by an order dated 21.12.2024 and remanded the matter back to the file of the Revenue Divisional Officer for fresh consideration. The Revenue Divisional Officer through proceedings dated 31.12.2024 directed the parties to workout their remedy before the competent Civil Court.

5. In view of the above development, the earlier direction issued by the Revenue Divisional Officer to the effect that no documents must be entertained for registration, is no more in subsistence. The Revenue Divisional Officer has now directed the parties to agitate their grievance before the Civil Court. In view of the same, it is not necessary for the 2nd respondent to go into the title dispute between the parties. This is in view of the fact that Rule 55A (i) of the Registration Rules has already been struck down by the Apex Court in ***K. Gopi***



vs. Sub Registrar and others reported in **2025 2 CTC 777**. Therefore, the 2nd

respondent need not go into the title dispute. Due to the pendency of the suit, any transaction will be subject to the Rule of lis pendens. The Registration of the document cannot be stopped unless any prohibitory order is passed by the competent Civil Court.

6.In the light of the above discussion, the impugned refusal Check Slip issued by the 2nd respondent dated 06.03.2025, is hereby quashed and there shall be a direction to the 2nd respondent to register the Sale Deed, if it is otherwise in order.

7.In the result, this writ petition is allowed with the above directions. No Costs.

23-04-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To
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1.The Revenue Divisional Officer
Virudhachalam, Cuddalore District

2.The Sub Registrar
Pennadam, Thitakudi Taluk,
Cuddalore District



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N.ANAND VENKATESH J.

SSR

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