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W.P.No.22882 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.22882 of 2025

T.Kali Senthilkumar

... Petitioner(s)

Vs.

The Sub Registrar,
Udumalpet Sub Registrar Office,
Kacheri Street, Udumalpet – 642 126.

...Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to register the settlement deed executed on 20.09.2018 vide P-100 /2018 on the file of the respondent office, and consequently to return the registered Document to the petitioner within the time to be stipulated by this Hon'ble Court based on the representation of the Petitioner dated 26.12.2024.



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For Petitioner(s) : Mr.A.Sivaji

For Respondent(s) : Ms.Bakkiyalakshmi
Government Advocate

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2.The present writ petition is filed praying for a writ of mandamus to direct the respondent to register the settlement deed executed on 20.09.2018 vide P-100 /2018 on the file of the respondent office, and consequently to return the registered document to the petitioner within a time frame to be fixed by this Court based on the petitioner's representation dated 26.12.2024.

3.It is submitted by the learned counsel for the petitioner that petitioner's father viz., S.Thangavel executed a settlement deed dated 20.09.2018 before the Sub Registrar, Udumalpet in favour of petitioner and the said document is kept pending for registration since 2018, on the premise that a suit in O.S.No.362 of 2018 before the Additional District



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Judge No.4, Udumalpet is pending in respect of the subject property. The

said suit was filed by petitioner's nephew represented by his mother K.Selvi. It is further submitted that petitioner was not served with any notice in O.S.No.362 of 2018.

4.It appears that there is a suit pending in respect of subject property and it is not clear as to whether any interim order/injunction is passed having a bearing on registration of settlement deed. Mere pendency of the suit, cannot be a reason for refusing to register the document submitted by the petitioner.

5.On this being pointed out, learned Government Advocate submitted that petitioner may have to submit an affidavit stating that there is no interim injunction/orders. If such an affidavit is submitted, the Settlement Deed dated 20.09.2018 would be registered if it is otherwise in order. If for any reason, registration of Settlement Deed is sought to be refused, the respondent shall issue refusal slip/order assigning appropriate reasons, which was agreed to by the learned counsel for the petitioner.



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WEB COPY 6. Recording the same, the writ petition stands disposed of. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the matter on its own merits and in accordance with law. No costs.

26.06.2025

Index : Yes/ No
Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
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To
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The Sub Registrar,
Udumalpet Sub Registrar Office,
Kacheri Street, Udumalpet – 642 126.



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MOHAMMED SHAFFIQ, J.

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