



W.P.No.21893 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.21893 of 2025

K.Karunanithi

...Petitioner

Vs.

1.The Sub-Registrar,
Mangalampettai,
Virudhachalam Taluk,
Cuddalore District.

2.Akbar Basha

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, to call for the entire records relating to the Refusal Check Slip dated 29.04.2025 in RFL/Mangalampettai/13/2025 issued by the first respondent herein and to quash the same and consequently direct the first respondent to register the sale deed executed by the petitioner on representation within a time frame to be stipulated by this Court.



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For Petitioner : Mr.C.Munusamy
For Respondents : Mr.Abishek Murthy
Government Advocate
for R1
Mr.T.R.Sathiya Mohan
for R2

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 challenging the impugned refusal slip dated 29.04.2025, refusing to register the sale deed on the premise that objections have been made by the second respondent.

3. It is submitted by the learned counsel for the petitioner that the petitioner's sons gifted a land to the petitioner to an extent of 58 ½ cents comprised in Survey No.141/4A2, situated at Mangalam (Ko) Village, Virudhachalam Village, Cuddalore District, with Patta No.2327, by way of registered Gift Deed vide Document No.2786/2022 dated 11.10.2022 on the file of the Sub Registrar, Mangalampettai. The petitioner proposed to sell the said land to one Rama.



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Hence, he executed a sale deed and presented for registration before the first respondent on 16.04.2025 and same was refused on the ground that the second respondent has filed a protest application. Aggrieved by the same, the petitioner has filed the present writ petition.

4. On this being pointed out, the learned Government Advocate for the respondent authority would submit that the only reason which is given for refusal is the need to conduct an enquiry at the protest/objection letter submitted by the second respondent. He would submit that once the enquiry is over, the sale deed would be registered, if it is otherwise in order. He would also ensure that the enquiry would be kept within the confines of Sections 22A and 22B read with Rules 54 and 55 of the Registration Act and that they do not intent to enquire into the title, which in their conscious is in excess of their jurisdiction, which was agreed to by the learned counsel for the petitioner.

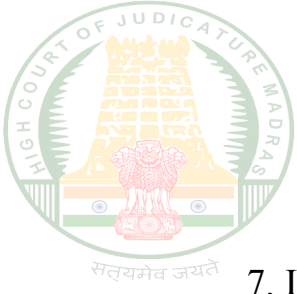
5. At this juncture, learned counsel for the petitioner would submit that the enquiry may be conducted at the earliest and they would be ready and willing to participate even if the enquiry is kept on 30.06.2025. He further submitted that the



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petitioner would re-submit the sale deed on 30.06.2025 and enquiry may be completed and orders may be passed on or before 07.07.2025, which was agreed to by the learned Government Advocate for first respondent.

6. In the light of the above discussion, the impugned refusal check slip issued by the first respondent dated 29.04.2025 is hereby quashed. The petitioner would re-submit the sale deed to the first respondent on or before 07.07.2025 and on re-submission, the first respondent shall conduct an enquiry and register the sale deed, if it is otherwise in order, after considering the objections made by the second respondent and within the confines of Sections 22A and 22B read with Rules 54 and 55 of the Registration Act. The entire exercise shall be completed on or before 14.07.2025. If for any reason, the first respondent refuses to register the sale deed, he shall assign reasons in the refusal slip, which was agreed to by both counsel for petitioner, as well as the respondents.



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7. In the result, this Writ Petition stands disposed of. However, there will be no orders to costs.

27.06.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To
1.The Sub-Registrar,
Mangalampettai,
Virudhachalam Taluk,
Cuddalore District.



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MOHAMMED SHAFFIQ, J.

mrn

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