



WEB COPY

WA No. 1464 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-09-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR JUSTICE C. SARAVANAN**

WA No. 1464 of 2025

1. G.V.Babu @ Sudarshan
S/o. G.M.Venkatesan

Appellant(s)

Vs

1. Lakshmiy
S/o.Late Ramasamy

2.Sub Registrar, Panruti
Registration Department,
Kumbakonam Road, Near Police
Station, Panruti-607 106.

3.Inspector General of Registration
Registration Department, 100,
Santhome High Rd, Mullima Nagar,
Mandavelipakkam,
Raja Annamalaipuram,
Chennai, Tamil Nadu-600 028

Respondent(s)



PRAYER

To set aside the order dated 14-06-2024 passed in WP.No.16841/2023, on the file of this Court.

For Appellant(s): Mr.D.Baskar

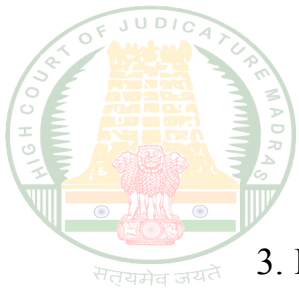
For Respondent(s): Mr.R.Manickavel for R1
Mr.U.Baranidharan
Special Government Pleader for R2 & 3

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The present intra-court appeal has been instituted challenging the writ order dated 14.06.2024, passed in W.P.No.16841 of 2023. The impleaded 3rd respondent, Mr.G.V.Babu @ Sudarshan, is the appellant before this Court.

2. The grievances of the appellant are that he was not even heard by the Writ Court, despite being impleaded by the Court vide order dated 26.09.2022. The name of the learned counsel appearing for the 3rd respondent in the writ petition was not printed in the High Court cause list dated 14.06.2024. That apart, the Sub-Registrar, on receipt of the settlement deed for registration from the 1st respondent/writ petitioner, raised objections regarding the contradictions found by him both in the title document as well as in the document presented for registration. Thus, there is no infirmity in respect of the refusal order issued by the Sub-Registrar. The Writ Court has not appreciated the facts nor heard the 3rd respondent. Thus, the present writ appeal is to be considered.

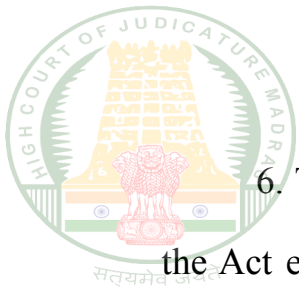


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3. Learned counsel for the 1st respondent would oppose by stating that the appellant was impleaded in the writ petition. Therefore, now he cannot take such a stand. That apart, the Writ Court relied on the principles laid down in the case of ***Subramani Vs. The Sub Registrar, Rasipuram*** in WP.No.11056 of 2024, dated 26.04.2024, allowed the writ petition. The 1st respondent possessed all the documents, and a revised separate patta has also been issued for the entire property. Therefore, there is no impediment for registering the settlement deed presented by the respondent/writ petitioner.

4. Learned Government Pleader would submit that the Registering Authorities, on presentation of documents, scrutinized the same and found contradictions both in the title document as well as in the document presented for registration. Accordingly, a refusal slip has been issued. It is for the parties to convince the authority by producing all the relevant documents for registering the documents. However, in the present case, the 1st respondent has chosen to file the writ petition.

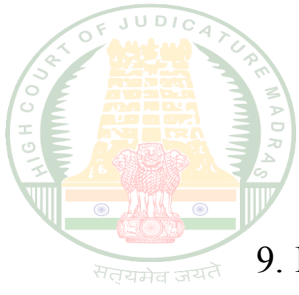
5. Learned counsel for the 1st respondent before this Court made a submission that even prior to filing of the writ petition, a statutory appeal under Section 72 of the Registration Act has been preferred before the District Registrar. The said appeal is still pending.



6. The 1st respondent, having filed a statutory appeal under Section 72 of the Act even before filing of the writ petition, is not expected to prefer a writ petition under Article 226 of the Constitution of India. The writ petition per se is not maintainable, in view of the fact that the appeal was pending at the time of filing the writ petition.

7. Disputed facts are involved in the present case. The learned counsel for the 1st respondent would submit that he possess individual patta in respect of the properties involved in the settlement deed, which was presented for registration. Per contra, the learned counsel for the appellant would submit that the discrepancies still exist. These disputes ought to be resolved either before the appellate authority under the Registration Act or before the competent Civil Court of law, as the case may be. Since the 1st respondent has already preferred an appeal under Section 72 of the Act, the 1st respondent is at liberty to pursue the appeal, and the appellant is also at liberty to implead himself in the appeal and defend his case before the District Registrar, Cuddalore in the manner known to law. The District Registrar, Cuddalore is expected to dispose of the appeal as expeditiously as possible.

8. In view of the facts and circumstances of the case, the writ order impugned dated 14.06.2024 passed in WP.No.16841 of 2023 is set aside. In the result, the writ appeal is allowed. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.



9. Registry, High Court is directed to communicate the copy of this order
to the District Registrar, Cuddalore.

(S.M.SUBRAMANIAM J.)(C.SARAVANAN J.)

15-09-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
WEB COPY

1. The District Registrar,
Cuddalore.

2. Sub Registrar, Panruti
Registration Department, Kumbakonam
Road, Near Police Station, Panruti-607
106.

3. Inspector General of Registration
Registration Department, 100,
Santhome High Rd, Mullima Nagar,
mandavelipakkam, Raja
Annamalaipuram, Chennai, Tamil
Nadu-600 028



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