



W.P. No.23978 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.23978 of 2025

and

W.M.P. No.26959 of 2025

S.Kumaran

Petitioner(s)

Vs

1.The District Registrar,
O/o.District Registrar Office,
JVC Commercial Complex,
Vedankinallur, Tiruvallur- 1.

2.The Sub-Registrar,
Poonamallee Sub-Registration Office,
Chennai.

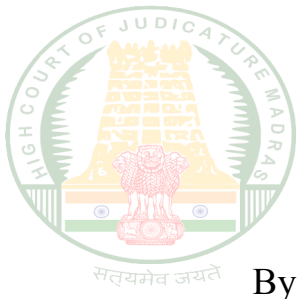
Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.No.246/ 2025 dated 09.06.2025 quash the same consequently direct the respondents to register the partition documents submitted by the petitioner with respect to the property bearing in old S.No.97/1, Patta No.7242, new S.No.97/1A2 and 97/17 admeasuring about 5181 sq. ft in Keelmanagar, mariyamman koil street, poonamallee village, tiruvallur district

For Petitioner(s) : Mr.S.N.Subramani

For Respondent(s) : Mr.U.Baranidharan
Special Government Pleader

ORDER



W.P. No.23978 of 2025

WEB COPY

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 Certiorarified Mandamus challenging the order dated 09.06.2025 whereby the petitioner's partition deed was refused registration.

3. It is submitted by the learned counsel for petitioner that the property comprised in Old S.No.97/1, Patta No.7242, New S.Nos.97/1A2 and 97/17 measuring an extent of 5181 sq. ft. situated at Keelmanagar, Mariyamman Koil Street, Poonamallee Village, Tiruvallur District, belonged to his grandfather Kandasamy by virtue of deed registered as Document No.527/1976 on the file of Sub-Registrar, Poonamallee. Patta in respect of the said land was also issued in Patta No.7242. On the death of petitioner's grandfather, petitioner's father inherited the property. Petitioner's father died on 18.11.1992 leaving behind petitioner's mother, brothers Imavarman and Kennady, sisters Indira, Jeyanthi and Malavika and brother's son Srivarsan. With a view to partition the above property, petitioner had obtained Token No.11 and presented the partition deed for registration. However, 2nd respondent refused to register the partition deed stating that there was an objection petition that is pending. It is stated that



W.P. No.23978 of 2025

petitioner was called for enquiry on 03.05.2025 in which petitioner appeared and submitted documents to put forth their case before the 2nd respondent. After enquiry the 2nd respondent had directed the petitioner to re-submit the documents on 05.05.2025, however, the same was refused registration. Thereafter, impugned order dated 09.06.2025 came to be passed refusing to register the partition deed on the premise that the documents filed in support of the partition deed indicates that the subject property as measuring 2112 sq.feet, instead of 5181 sq.feet.

3.1. It is submitted by the learned counsel for petitioner that the impugned order suffers from an error apparent inasmuch it fails to take into account the partition deed registered as Document No.527 of 1976, if the partition deed is considered, it would be clear that the petitioner along with co-owners, siblings jointly own 5181 sq.ft. of land. The petitioner has thus approached this Court by way of this writ petition.

4. At the outset, it is submitted by Mr.U.Baranidharan, learned Special Government Pleader for respondents that the petitioner may submit their objections before the appropriate authority and the same would be received along with Document No.527/1976 and if it is in order, the partition deed would be registered within the time stipulated by this Court. Agreed to by the learned



W.P. No.23978 of 2025

counsel for petitioner.

WEB COPY

5. In view thereof, the impugned order is set aside. It is open to the petitioner to submit their objections along with Document No.527/1976 before the appropriate authority/ respondent. The concerned respondent shall consider and register the document if it is otherwise in order, if for any reason the registering authority finds that the registration ought to be refused, the same shall be done after assigning appropriate reasons. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

6. Accordingly, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

08.07.2025

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



W.P. No.23978 of 2025

To:

1. The District Registrar,
O/o. District Registrar Office,
JVC Commercial Complex,
Vedankinallur, Tiruvallur- 1.

2. The Sub-Registrar,
Poonamallee Sub-Registration Office,
Chennai.



WEB COPY



W.P. No.23978 of 2025

MOHAMMED SHAFFIQ, J.

mka

W.P. No.23978 of 2025

08.07.2025