



WEB COPY



W.P.No.22188 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.09.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.22188 of 2024

V.Saravanan

... Petitioner

Vs.

1. The Sub Registrar
Omalur, Salem District.

2. Palanisamy

3. Sangeetha

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, To call for the records of the 1st Respondent registration refusal SI. No.RFL / Book 2 / 2/ 2023 dated 29.04.2023 and to quash the same as illegal, unconstitutional and without jurisdiction and to further, direct the 1st respondent to register the sale deed dated 11.04.2023, in respect of survey No.10 /7, Sikkanampatti Village, Kadayampatti, Salem District admeasuring Pujai Hectre 1.20. 0 (Punja Ares 2.96)



WEB COPY



W.P.No.22188 of 2024

For Petitioner : Mr.L.Chandrakumar,
for Mr.T.Dharani

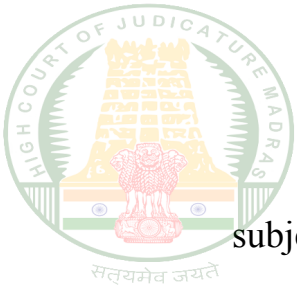
For Respondent : Mr.P.Harish, GA for R1

ORDER

This writ petition has been filed challenging the refusal slip dated 29.04.2023 issued by the 1st respondent.

2. The learned counsel for the petitioner would submit that in this case, the petitioner, being the purchaser of the subject property, had approached the 1st respondent for registering the sale deed. However, the 1st respondent had refused to register the same by stating that four boundaries of the undivided portion of the land was mentioned in the said the said sale deed.

3. Further, in the refusal slip, it has been mentioned that a civil suit in OS.No.93 of 2021 is also pending between the parties. However, according to the petitioner, the said suit is no way connected with the



W.P.No.22188 of 2024

subject property. However, without considering the said aspect, the 1st respondent had refused to register the sale deed. Hence, this petition has been filed.

4. In reply, the learned Government Advocate appearing for the respondents would submit that only due to the pendency of civil suit and the boundary issue, the 1st respondent was unable to register the sale deed executed in favour of the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents and also perused the materials available on record.

6. In the case on hand, the petitioner, being purchaser of the subject property, had filed this petition, against the refusal slip issued by the 1st respondent. It was submitted by the petitioner that the civil suit is no way connected with the subject property. On the other hand, as long as the purchaser is well aware of the pendency of civil suit and still



W.P.No.22188 of 2024

WEB COPY

inclined to purchase the said property, it is up to the parties. The respondent cannot stand in the way and refuse to register the sale deed.

7. As far as the boundary issue is concern, since the vendor is presently in possession of the subject property and the petitioner/purchaser is ready to accept the boundaries of undivided portion of land, then it is not proper for the respondent to reject the registration of sale deed on this ground. If there is any dispute, the purchaser will face the consequences and it will always be the outcome of the suit, filed or to be filed, by the parties.

8. In such view of the matter, the rejection of registration of sale deed, vide the refusal slip, by the 1st respondent is not in accordance with law and the same is liable to be set aside.

9. Accordingly, this writ petition is allowed. The refusal slip dated 29.04.2023 issued by the 1st respondent is hereby set aside. While setting aside the said refusal slip, this Court directs the 1st respondent to



W.P.No.22188 of 2024

accept the sale deed and register the same, if it is re-presented by the

petitioner. No cost.

19.09.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

nsa

To

The Sub Registrar
Omalur, Salem District.



WEB COPY



W.P.No.22188 of 2024

KRISHNAN RAMASAMY.J.,

nsa

W.P.No.22188 of 2024

19.09.2025