



WEB COPY

WA No. 2039 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR JUSTICE C. SARAVANAN

WA No. 2039 of 2025

1. The Sub Registrar

Gummindipoondi Sub Registrar office,
Gummindipoondi,
Tiruvallur District.

Appellant(s)

Vs

1. R. Umamaheswari

W/o. D. Rameshraj

2. Vinay Bhatla

S/o. Vinod Bhatla

[Impleaded vide order dated 10.09.2025

in CMP.No.17794 of 2025]

Respondent(s)

PRAYER

To set aside the order dated 17.03.2025 made in WP No.7946 of 2025 and allow the above Writ Appeal.



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

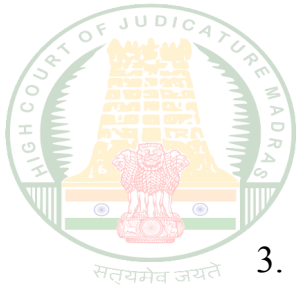
For Respondent(s): Mr.C.Harish for R1
Mr.S.Hussain Afroze for R2

ORDER

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

The writ order dated 17.03.2025 in W.P.No.7946 of 2025 is under challenge in the present intra-court appeal.

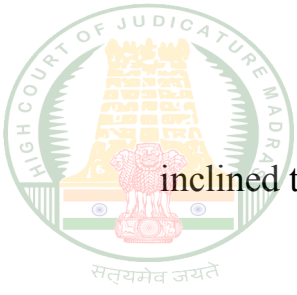
2. The Sub-Registrar, Gummudipoondi, is the appellant before this Court. The 1st respondent, Mrs.R.Umamaheswari, filed the writ petition challenging the refusal check slips issued by the Sub-Registrar vide Proceedings dated 31.12.2024. The 1st respondent/writ petitioner presented a partition deed for registration. The Sub-Registrar found that the rights of the presentent has not been established and consequently issued the refusal slip, which came to be challenged. The Writ Court found that WA.No.2585 of 2018 has been disposed of by this Court by an order dated 02.01.2019. Therefore, the stand of the Sub-Registrar that the writ appeal is pending before this Court is incorrect. The second ground raised is about the title over the property. The learned Single Judge made an observation that even as per the recital in the partition deed, the rights of the legal heir of the Late.Himachalapathy Raja has been clearly stated and it is also established by the revenue records through joint patta No.563. Based on these two grounds, the writ petition came to be allowed.



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3. Learned Special Government Pleader appearing on behalf of the appellant would mainly contend that the ground relating to the rights of the parties are doubtful and the said ground raised by the Sub-Registrar was not considered by the Writ Court. To substantiate the said ground, the learned Special Government Pleader would submit that on 19.07.1990, a deed of power of attorney was executed in favour of Vinod Bhatla by the legal heirs of Nandhimandalam Himachala Raja and registered as Document No.217 of 1990. On 27.05.2005, another sale deed was executed by the power agent Vinod Bhatla in favour of Vinay Bhatla vide Sale deed dated 27.05.2002 in Document No.816 of 2002. Pertinently, the power agent Vinod Bhatla is the father of Vinay Bhatla, in favour of whom the sale deed was executed. After a lapse of about 22 years, the present partition deed dated 13.12.2024 was presented for registration. The Sub-Registrar on 30.01.2024 found that the presentent of the document has not established his right in view of the sale deed registered on 27.05.2002 by the power agent Vinod Bhatla in favour of Vinay Bhatla. Unless the said document is explained or declared otherwise, the Sub-Registrar will not be in a position to register the document under the Registration Act.

4. Since the previous sale deed of the year 2002 came to the knowledge of the Sub-Registrar and the Sub-Registrar found some discrepancies regarding the right of the presentent of the partition deed, the refusal slip came to be issued. The learned Single Judge, since not considered the above position, this Court is



inclined to interfere with the writ order impugned.

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5. Consequently, the writ order dated 17.03.2025 made in WP No.7946 of 2025 stands set aside and the writ appeal is allowed. The parties are at liberty to workout their remedy before the competent Civil Court of law to establish their right in respect of the subject property. No costs, Consequently, the connected miscellaneous petitions, if any, are closed.

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

10-09-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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S.M.SUBRAMANIAM J.
AND
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