



W.A.Nos.3185 and 3495 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.11.2025

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.A.Nos.3185 and 3495 of 2025
and CMP Nos.25915 and 28631 of 2025

M/s.Ramaniyam Real Estates (P) Ltd.
Rep. By its Managing Director
Mr.V.Jaggannathan
17/35, 2nd Main Road, Gandhi Nagar,
Adyar, Chennai – 600 020.

.... Appellant in W.A.No.3185 of 2025

M.S.Nagarajan
Karthi of M.S.Swaminathan (HUF)
S/o M.E.Subramaniam
No.402, Lancor Sonner Square,
55, Dr.Radhakrishnan Nagar Main Road,
Thiruvanmiyur, Chennai – 600 042.

.... Appellant in W.A.No.3495 of 2025

Vs.

1. M/s.Satya Surendra Developers
rep. By its Partner,
Shikha Malhotra
W/o Arun Malhotra



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E-4/7, Area Colony, Bhopal – 462 016.

2. The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High road, Santhome,
Chennai – 600 004.

3. The District Registrar,
Office of the District Registrar,
No.537, Fanepet, Nandanam,
Chennai – 600 035.

4. The Sub-Registrar,
Office of Sub-Registrar,
No.537, Fanepet, Nandanam,
Chennai – 600 035.

5. Arun Malhotra
E-4/7, Area Colony, Bhopal – 462 016.

.... Respondents in both W.As

Common Prayer: Writ Appeals filed under Clause 15 of the Letters Patent
against order dated 01.07.2025 made in W.P.No.23362 of 2025 on the file
of this Court.

For Appellant in	:Mr.G.Rajagopalan
W.A.No.3185 of 2025	Senior Counsel
	for Mr.S.Sundaresan

For Appellant in	
W.A.No.3495 of 2025	:Mr.M.V.Swaroop



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For Respondents in both W.As :Mr.Vijay Narayanan

Senior Counsel

for Mr.Prahalad K.Bhat – R1 & R5

Mr.P.Harish

Government Advocate – R2 to R4

COMMON JUDGMENT

Dr.G.Jayachandran, J.

It is a case of dispute between the land owner, promoter and an intermediary power agent by name Shikha Malhotra, partner in M/s.Satya Surendra Developers. The short point for consideration in these two appeals preferred by third parties is whether the order of the learned single Judge in W.P.No.23362 of 2025 allowing the Writ Petition seeking Writ of Certiorarified Mandamus to quash the order passed by the Sub-Registrar, Nandanam on 17.06.2025 is sustainable when the Writ Petitioner M/s.Satya Surendra Developers had chosen not to implead the necessary parties in the proceedings who have interest in the property which is a subject matter of the sale deed presented before the Registrar and returned with refusal check slip.

2. Mr.G.Rajagopalan, learned Senior Counsel for the appellant in



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W.A.No.3185 of 2025 made emphasis on the point that when there is a serious dispute regarding the title and litigations pending, the subject sale deed presented by the Writ Petitioner cannot be entertained for registration in the absence of life certificate and serious dispute regarding the title.

3. However, learned single Judge had quashed the impugned refusal check slip dated 17.06.2025 to enable the Writ Petitioner to re-present the sale documents subject to the dictum laid by this Court in ***Confederation of Real Estate Developers' Association of India V. State of Tamil Nadu*** (2014 (6) CTC 13) and after providing an opportunity of hearing to the Writ Petitioner and the 4th respondent and any other interested parties.

4. When the matter came up for consideration on the previous occasion, this Court directed the learned Government Advocate to ascertain whether the disputed sale document has been re-presented by the Writ Petitioner/first respondent herein and if so, whether the Sub-Registrar has registered the document.

5. In response to the said direction, the Government Advocate has produced a letter of the Joint Sub-Registrar, Saidapet, South Chennai dated 06.11.2025, wherein it has been informed as under:



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'4. Further, in CRP No.1418 of 2024 and CMP No.7579 of 2024, the Hon'ble High Court of Madras, by its order dated 17.04.2025, directed: "Post the matter on 17.06.2025. Interim stay already granted is extended till then.". The said stay order continues to remain in force. As of 17.06.2025, no communication has been received by this office stating that the stay on registration has been vacated. Moreover, for all General Power of Attorney documents registered prior to 02.02.2013, the principal's Life Certificate must be submitted before registration of any related documents.

5. Therefore, once the principal's Life Certificate is duly submitted and the stay order on document registration is vacated by the Hon'ble High Court, necessary action will be taken to register the document, depending on the nature of the final judgment.

6. It is further submitted that, although the original title documents relating to the said property are in possession of the petitioner (M/s.Ramaniyam Real Estates (P) Ltd), certain individuals have attempted to register documents based on forged documents. Hence, the Joint sub Registrar No.I has lodged a complaint before the Central Crime Branch. Based on the said complaint, FIR No.41/2023 dated 10.12.2023 has been registered, and necessary investigation is being carried out by the Central Crime Branch.'

6. Learned Government Advocate also reiterates that the Writ Petitioner has re-presented the document but it is kept pending.

7. Learned Senior Counsel appearing for the first respondent submitted that there is a factual error in the report of the Sub-Registrar insofar as the status of C.R.P.No.1418 of 2024 is concerned. He referred to



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the order passed by this Court in the said CRP dated 17.06.2025 and a subsequent order in the Review Petition dated 22.08.2025 and submitted that the said Review Petition has reached finality after the Special Leave Petition preferred by the appellant Ramaniyam Real Estates (P) Ltd..

8. Learned counsel appearing for the appellant in W.A.No.3495 of 2025 submitted that in the report, the Sub-Registrar has not referred about the complaint given by the land owner, namely, M.S.Nagarajan, Kartha of M.S.Swaminathan (HUF).

9. Mr.Vijay Narayan, learned Senior Counsel brought to the notice of this Court the judgment of Supreme Court passed in ***K.Gopi V. Sub-Registrar and others*** (Civil Appeal No.3954 of 2025 dated 07.04.2025), which deals about the power of the Registrar and the scheme of the Registration Act, 1988 to accept or reject the document presented for registration. He also brought to the notice of this Court the observation of this Court in *Confederation of Real Estate Developers Association of India* case, wherein it is stated that in case of power coupled with interest, life certificate is not mandatory for registration.

10. In response to the above submission, Mr.G.Rajagopalan, learned



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Senior Counsel submitted that the view of the learned single Judge in *Confederation of Real Estate Developers Association of India* case has been re-visited by the Hon'ble Supreme Court in the case of *N.Murugesan V. The Inspector General of Registration* (SLP (C) No.30483 of 2014 dated 03.08.2015), wherein it has been clarified as under:

'We further clarify that the power of attorney in law does not subsist after the death of the principal and, therefore, the certificate as regards the past is necessary. Our interpretation of the circular shall be followed in letter and spirit and there shall be no further insistence by the State or the registering authority.'

11. This Court consciously rescind itself from making any comment on the above submission except the following:

i) The interested parties may present their objections, if any, within a period of fifteen (15) days from date of receipt of a copy of this order.

ii) Upon receipt of the objections, if any, the Sub-Registrar, Nandanam/fourth respondent herein is directed to consider the objections now presented as well as received earlier, hear them and pass orders based on the evidence produced by the parties and the law laid down by the Court, within a period of two (2) months from date of personal hearing. If the decision of the fourth respondent is not accepted by any of



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the parties, it is always open to them to challenge the same on merits and in accordance with law.

12. With this, both the Writ Appeals are disposed of. No costs.

Connected Miscellaneous Petitions are closed.

(Dr.G.J.J.) & (M.S.K.J.)
07.11.2025

Index:yes/no
Internet:yes
Speaking order/non speaking order
Neutral citation:yes/no
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To

1. M/s.Satya Surendra Developers
rep. By its Partner,
Shikha Malhotra
W/o Arun Malhotra
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4. The Sub-Registrar,
Office of Sub-Registrar,
No.537, Fanepet, Nandanam,
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5. Arun Malhotra
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Dr.G.JAYACHANDRAN, J.
and
MUMMINENI SUDHEER KUMAR, J.



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