



W.P.No.30547 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 17.09.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.30547 of 2025

1.P.Sivan

2.JamberiChinnasamy

... Petitioners

Vs.

The Sub Registrar,
Pennagaram Sub Registration Office,
Hokenakkal Main Road,
Near Police Station,
Pennagaram,
Tamil Nadu - 636 810.

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the refusal order No.RFL/Pennagaram/50/2025 order dated 17.03.2025 passed by the respondent and quash the same as arbitrary and illegal, and directing the respondent to register the Sale on the presentation of the document by the petitioners.



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For Petitioners : Mr.A.Siva Raman
For Respondent : Mr.Abishek Murthy,
Government Advocate

ORDER

This writ petition is filed by the petitioner to call for the entire records pertaining to the refusal order No.RFL/Pennagaram/50/2025 order dated 17.03.2025 passed by the respondent and quash the same as arbitrary and illegal, and directing the respondent to register the sale on the presentation of the document by the petitioners.

2. Mr.Abishek Murthy, learned Government Advocate, takes notice on behalf of the respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. Learned counsel for the petitioner submitted that the second petitioner viz., Jamberi and one Mr.Periannan are joint owners of the property comprised in S.No.82/1, to an extent of 27.17 cents, Somanahalli Village, Nallampalli Taluk, Dharmapuri District and the



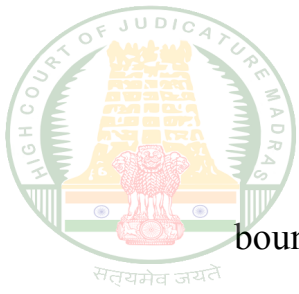
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said property was registered under Doc.No.733/2023. In these circumstances, the second petitioner sold his half share of aforesaid property (i.e., 13.5 cents out of 27.17 cents) to the first petitioner and presented the sale deed before the respondent for registration. However, the same was rejected by the respondent vide refusal order No.RFL/Pennagaram/50/2025 dated 17.03.2025, for the reason that the property was initially purchased jointly and without the consent of the joint owner, no document can be registered. Hence, this writ petition.

4. Further it was submitted by the learned counsel for the petitioner that out of 27.17 cents, the second petitioner is transferring his undivided share of 13.52 cents to the first petitioner. Moreover, the boundaries mentioned in the sale deed is for the entire extent of 27.17 cents. But the Sub-Registrar has wrongly understood as if the boundaries are mentioned only for 13.52 cents.

5. Learned Government Advocate appearing for the respondent would submit that in the event, if it is an undivided share and the



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boundaries mentioned in the sale deed are for entire extent of 27.17

cents, they will not have any issues in registering the said document.

6. Heard the learned counsel on either side and perused the materials available on record.

7. In the present case, admittedly, the first petitioner purchased an undivided share of 13.5 cents from his vendor Mr.Jamberi Chinnasamy, who is the second petitioner herein. In the sale deed, the boundary is mentioned for an entire extent of 27.1 cents and not for 13.52 cents. Hence, this Court does not find any impediments for the respondent/Sub-Registrar to register the sale deed without the insistence for production of parent document as per settle law. Under these circumstances, this Court is inclined to set aside the impugned order dated 17.03.2025 passed by the respondent and the same is set aside. Consequently, this Court directs the respondent to register the sale deed dated 04.03.2025, immediately upon the submission of the same by the petitioner.



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8. Accordingly, this writ petition stands allowed. No costs.

17.09.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The Sub Registrar,
Pennagaram Sub Registration Office,
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KRISHNAN RAMASAMY.J.,

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