



W.P.No.30731 of 20__

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.08.2025

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Coram:
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.30731 of 2025

Mr.K.Ramesh Babu

...Petitioner

Versus

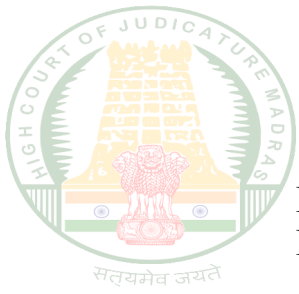
1.The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.

2.The Sub Registrar,
Thamal Sub Registrar,
Thamal, Kancheepuram.

3.The Deputy Superintendent of Police,
Economic Offence Wing,
Ashok Nagar, Chennai – 600 083.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned order passed by the 2nd respondent vide RFL/Thamal/3/2025 dated 17.07.2025 and quash the same as illegal, arbitrary and non-est in law and consequently, direct the 2nd respondent to register and release the Settlement Deed dated 10.07.2025 within the time frame fixed by this Court.



W.P.No.30731 of 20__

WEB COPY

For Petitioner : Mr.E.Kotteswaran
For Respondents – 1 & 2 : Mrs.A.Bakkiya Lakshmi,
Government Advocate
For Respondent – 3 : Mr.R.Kishore Kumar,
Government Advocate (Crl.Side)

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is to quash the Refusal Check Slip No.RFL/Thamal/3/2025 dated 17.07.2025 issued by the 2nd respondent and consequently, direct the 2nd respondent to register and release the Settlement Deed dated 10.07.2025, within a time frame to be fixed by this Court.

3. The learned counsel for the petitioner submitted that the petitioner presented a Settlement Deed dated 10.07.2025 before the 2nd respondent for registration, but, 2nd respondent vide Refusal Check Slip No.RFL/Thamal/3/2025 dated 17.07.2025, refused to register the Settlement Deed by stating that as per the Letter dated 22.01.2025 issued by 3rd respondent, registering the documents related to the property comprised in S.No.10/3A1 situated at Kizhambi Village, Kancheepuram Taluk,



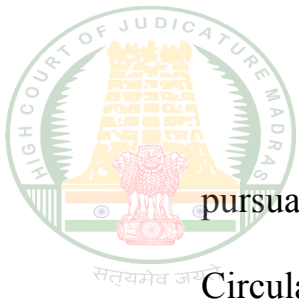
Kancheepuram District registered as Document No.611 of 2023 has been restrained and hence, petitioner is required to obtain No Objection Certificate (NOC) from 3rd respondent for registering the Settlement Deed.

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3.1. It is submitted by the learned counsel for the petitioner that 2nd respondent refused to register the Settlement Deed presented by the petitioner merely on the basis of Letter issued by the 3rd respondent (Police Official) which is contrary to the decision rendered by this Court in the case of ***R.Madhupriya & Anr. Vs. Inspector General of Registration & Anr.*** reported in ***2020 SCC Online Mad 2012***, wherein, it has been held as follows:

“6. this Court has categorically held against the refusal of registration of documents merely based on letters issued by the Police unless a proper order of attachment is obtained from the competent authority under the relevant enactment. In view of the same, the second respondent cannot prevent the petitioners from submitting documents for registration merely based on the letter issued by the police. In fact, such a letter should not be recorded in an Encumbrance Certificate since it is beyond the jurisdiction of the Police to restrain the owners of the property from dealing with the same. Therefore, the second respondent shall also delete the entry made in the Encumbrance Certificate.”

3.2. The learned counsel for the petitioner also submitted that



pursuant to the aforesaid decision of this Court, 1st respondent had issued a

Circular No.22482/C1/2022 dated 12.07.2024. In Clause (c) of the said

Circular, it has been stated as follows:

“(c) As far as the refusal of registration of documents based on the letters received from the police officials is concerned, Hon'ble High Court has in number of instances (including R.Madhu Priya v. Inspector General of Registration 2020 SCC Online Mad 2012) has deprecated the practice of police officers issuing letters to the Sub-Registrar's asking them to refrain from registering documents. Hon'ble Courts have also held that in such cases, it is for the aggrieved party to obtain appropriate orders from the civil court instead of using the police machinery to prevent the Registrar from performing his statutory functions. Hence, it is hereby instructed that registering officers should not refuse registration of documents merely based on the letter issued by police officials.”

4. The learned Government Advocate appearing for the respondents 1 & 2 submitted that if the petitioner re-presents the Settlement Deed, 2nd respondent would consider the Settlement Deed in the light of the decision rendered by this Court in the case of ***R.Madhupriya & Anr. Vs. Inspector General of Registration & Anr.*** reported in ***2020 SCC Online Mad 2012*** and register the same, if it is otherwise in order. She further submitted that if the registration of Settlement Deed is refused for any reasons, 2nd respondent would issue a Refusal Check Slip/Order assigning the reasons



for refusal.

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5. The above submission made by the learned Government Advocate for the respondents 1 & 2 has been fairly conceded by the learned counsel for the petitioner.

6. Considering the submissions made by the learned counsel on both sides, this Writ Petition is disposed of on the following terms:

(i) The impugned Refusal Check Slip No.RFL/Thamal/3/2025 dated 17.07.2025 issued by the 2nd respondent is quashed.

(ii) The petitioner is directed to re-present the Settlement Deed before 2nd respondent for registration.

(iii) On re-presentation of Settlement Deed by the petitioner, 2nd respondent shall consider the said Settlement Deed in the light of the decision rendered by this Court in the case of ***R.Madhupriya & Anr. Vs. Inspector General of Registration & Anr.*** reported in ***2020 SCC Online Mad 2012*** and register the same, if it is otherwise in order.

(iv) If for any reason, registration of Settlement Deed is sought to be refused, 2nd respondent shall issue a Refusal Check Slip/Order assigning



W.P.No.30731 of 20__

appropriate reasons.

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(v) It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to 2nd respondent to consider the matter on its own merits and in accordance with law. No costs.

19.08.2025

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Index : Yes/No

Speaking Order (or) Non-Speaking Order

To

- 1.The Inspector General of Registration,
100, Santhome High Road,
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MOHAMMED SHAFFIQ, J.



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W.P.No.30731 of 20_

mrr

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19.08.2025