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W.P.No.36268 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.10.2025

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.36268 of 2025

1. Jayakrishnan
2. Beena Jayakrishnan

... Petitioners

Vs

1. The District Collector,
Tirupattur Town,
Tirupattur District – 635601.
2. The District Revenue Officer,
Tirupattur District.
3. The Thasildhar,
Tirupattur Town & District – 635601.
4. Sub-Registrar,
Jolarpettai,
Tirupattur District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to give no objection certificate for sale, register the sale deed for Survey No.118-1B in Athanavoor Village, Yelagiri Hills, Jolarpettai Taluk, Tirupattur District.

For Petitioner : Mrs.Mumtaj Surya M.A



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For Respondents : Mr.D.Ravichander,
Special Government Pleader

ORDER

This writ petition has been filed to direct the first respondent to give a no objection certificate for sale, register the sale deed for Survey No.118-1B in Athanavoor Village, Yelagiri Hills, Jolarpettai Taluk, Tirupattur District.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The property comprised in Survey No.118-1B situated at Athanavoor Village, Yelagiri Hills, Jolarpettai Taluk, Tirupattur District, owned by one Saju Chacko. He had executed a power of attorney in favour of the second petitioner. The second petitioner's principal purchased the subject property by registered sale deeds, vide Document Nos.1326 & 1327 of 2025, 673 of 2007 and 2785 of 2008. In turn, the second petitioner executed a sale deed in respect of the subject property in favour of the first petitioner and presented the sale deed for registration before the third



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respondent. However, the third respondent returned the document and refused to register the same in view of the ban order passed by the Revenue Divisional Officer.

4. This issued already dealt with by this Court in batch of writ petitions in W.P.No.5476 of 2025 etc., batch dated 03.03.2025. For ready reference, this Court deems it appropriate to extract the relevant portion of the order in W.P.No.5476 of 2025 etc., batch, which reads as follows:-

“7. When the writ petitions were taken up for hearing today, the Sub-Registrar, Jolarpet was present and two individual affidavits were filed in W.P.No.5476 and 5493 of 2025. The relevant portions are extracted hereunder:

"1. The aforementioned Writ Petition has been filed challenging the Refusal Order dated 07.10.2024. At the outset, I tender my unconditional apology for passing the Refusal Order dated 07.10.2024 without properly understanding the tenor of the Order passed by this Hon'ble Court dated 25.07.2024 made in W.P.No.34621 of 2022. I have the highest regard and respect for the majesty of the judiciary. I have been complying with the Orders and directions of this Hon'ble Court in letter and spirit. I tender



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my unconditional apology for passing a Refusal Order dated 07.10.2024. I submit that the Writ Petitioners have presented one Sale Deed dated 28.11.2024 for registration in respect of lands comprised in Survey No.311 of Athanavur Village, Yelagiri Mathura, Thirupathur Taluk, totally measuring to an extent of 50 cents. The document was entertained for admission and kept as pending document to seek clarification from the Revenue Department in respect of the genuineness of revenue records.

2. The Writ Petitioner has obtained information under the RTI Act on 04.08.2024 from the Special Tahsildar in respect of the subject lands and sought for registration of documents. This Hon'ble Court vide order dated 25.07.2024 directed the jurisdictional Sub-Registrar to register the document and release the same within the stipulated time.

3. I submit that the District Registrar has addressed a letter dated 03.09.2024 to the Revenue Divisional Officer, Thirupathur, seeking clarification and patta details in respect of Survey No.311 and 287 of Athanavur Village. The Revenue Divisional Officer vide Letter dated 04.09.2024, has observed that the directions



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issued by the Revenue Department in proceedings dated 10.08.2007 in respect of Survey Nos.311 and 287 should be scrupulously followed by the registering authority. The Revenue Department, vide proceedings dated 10.08.2007, directed the Sub Registrar not to register any document in respect of Survey Nos.311 and 287 of Athanavur Village. As a consequence, the District Registrar, Thirupathur vide letter dated 05.09.2024 has issued instructions to deal with the pending document in accordance with the instructions issued by the Revenue Department. Accordingly, I had passed the Refusal order on 07.10.2024.

4. I have passed an order declining to register the document on the basis of instructions issued by the Revenue Department. The Revenue Divisional Officer, Thirupathur vide proceedings dated 10.08.2007 has issued directions to the registering authority not to register any document in respect of lands comprise in Survey Nos.311 and 287. I regret that I should not have passed a Refusal order solely on the basis of instructions issued by the Revenue Department, without securing any clarification from this Hon'ble Court. I once again tender my unconditional apology for passing a Refusal order without understanding the tenor of the directions issued by this Hon'ble Court.”



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5. Therefore, the Sub-Registrar ought not to have rejected the sale deed for registration. If any clarification needs, the Sub-Registrar should have asked for clarification and opinion from the concerned authority. In view of the above, there is absolutely no bar in respect of the subject property to deal with the same.

6. In view of the above, the first petitioner is directed to re-present the sale deed for registration in respect of the subject property and on receipt of the same, the fourth respondent is directed to register and release the same if it is otherwise in order.

7. With the above directions, this Writ Petition is disposed of. No costs.

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Index: Yes/No

Neutral Citation: Yes/No

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To

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G.K.ILANTHIRAIYAN, J.

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