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W.A.No.3678 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.A.No. 3678 of 2024
and
C.M.P.No.29108 of 2024

R.Anbazhagi

...Appellant

Vs.

1.L.Chinnathambi

2.The District Registrar,
District Registrar Office,
Kallakurichi District.

3.The Sub-Registrar,
Vadakkanandal SRO Office,
Kallakurichi District.

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to allow the above Writ Appeal and consequently set aside the orderd dated 22.11.2024 passed in W.P.No.34247 of 2024.

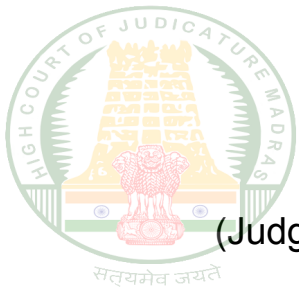
For Appellant : Ms.R.Divyapreahika

For Respondents: Mr.V.Manohar

For Mr.T.Balachandran for R1

Mr.U.Baranidharan, Spl.GP for R2 & R3

J U D G M E N T



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(Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

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Under assail is the writ order dated 22.11.2024 passed in W.P.No.34247 of 2024.

2. The 3rd respondent in the Writ Petition is the appellant before this Court. The 1st respondent Mr.L.Chinnathambi presented a sale deed for registration before the 3rd respondent under the Registration Act. The 3rd respondent after scrutiny passed the order dated 24.06.2024 returning the document on the ground that there are discrepancies in the description of the schedule of properties between the documents presented and the title document. The sub-Registrar has stated that in the document presented, the boundaries indicate North by Thar Road; South by Odai; East by VAO Office & Sevai Maiyam and West by Anbazhagi Vagaiyara's land. However, in the original title deed the registering Authority found the description in the schedule as North by Road; South by Remaining land in Survey No.189/7C; East by Anbazhagiammal's land and West by Latchumanan's land. In view of the said discrepancy, he returned the document asking the presentent of the document to correct the boundaries and present it enabling him to register the document by following the procedure. The 1st respondent instead of correcting has chosen to file the Writ Petition.



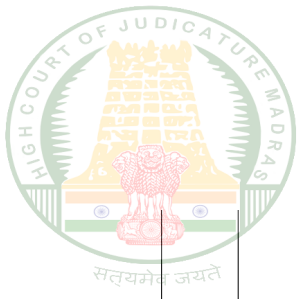
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3. The writ Court allowed the Writ Petition by accepting the description stated in the schedule of the document presented for registration.

4. The learned counsel for the appellant would submit that the writ Court has erroneously considered the boundaries, which is otherwise found to be wrong by the registering Authority. In order to clarify the said position, the appellant has furnished the details in the form of an index, which reads as under:

S. No.	Vendor	Purchaser	Date, Document No., Survey No. and Extent	Four Boundaries
1	Sadaiyan	Anbazhagi (Appellant) – Sale Deed	14.12.1987, 1716 of 1987, S.No.189/7C 0.63 cents	North by : Road South by : Thirthagounder's land East by : Tharisu Land West by : Rest of teh land of teh vendor and purchaser
2	Sadaiyan	Kalaivani – Sale Deed	26.02.1988, 261 of 1988, S.No.189/7C 0.62 cents	North by : Road South by : Odai, East by : Anbazhagiammal's land West by : Latchumanan's land
3	Kalaivani	Anbazhagi (Appellant) – Sale Deed	27.04.1988, 644 of 1988, S.No.189/7C 0.02 cents	South by : Odai, East & North by : Purchaser's land West by : Andigounder's land
4	Kalaivani	Andi Konnar – Sale Deed	27.04.1988, 643 of 1988, S.No.189/7C	North by : Road South by : Odai East by : Anbazhagiammal's



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			0.60 cents	land West by : Latchumanan's land
5	Subburayan – Sale Deed	Subburayan – Sale Deed	04.09.2008, 1519 of 2008, S.No.189/7C 60 cents	North by : Road South by : Odai East by : Anbazhagiammal's land West by : Latchumanan's land
6	Suburayan	1.Ranjith (Advocate) 2.Senthil Kumar (Advocate) -Sale Deed	02.02.2011, 119 of 2011, S.No.189/7C 60 cents	North by : Road South by : Remaining land in Survey No.189/7C East by : Anbazhagiammal's land West by : Latchumanan's land
7	1.Ranjith (Advocate) 2.Senthil Kumar (Advocate)	Chinnathambi (1 st Respondent) – Sale Deed	07.11.2023, 3239 of 2023, S.No.189/7C 60 cents	North by : Thar Road South by : Odai East by : VAO Office & Sevai Maiyam West by : Anbazhagi Vagaiyara's land

5. The correct description of the schedule as per the original title deed is stated in Sl.No.6. Accordingly, the boundaries are North by Road; South by Remaining land in Survey No.189/7C; East by Anbazhagiammal's land and West by Latchumanan's land. However, the learned Single Judge proceeded on the basis of the details of description stated in Sl.No.7, which is not in consonance with the original title deed as verified by the registering Authority.

6. May that as it be, the discrepancy identified between the original



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title deed and the documents presented for registration can be ascertained by the registering Authority. In the event of any doubt, error or dispute, the parties have to explain the position before the registering Authority and if it is not resolved, then approach the competent civil Court of law for the purpose of settling the issue. Contrarily the writ Court cannot adjudicate the disputed issues of this nature. In the event of any error in the description of the schedule in the document presented for registration, it will result in infringement of civil rights of the parties. Therefore, the writ Court has to exercise restraint in interfering with such matters, where the registering Authorities found that there are some discrepancies in the description of schedule in the original title deed as well as in the document presented for registration.

7. In the event of accepting the contention of any one of the parties without verifying the original records, it may result in causing prejudice to either of the parties. That apart, such errors in the documents cannot be rectified by filing a writ proceeding nor the High court in exercise of the powers of judicial review can exercise such powers.

8. That being so, the appellant and the 1st respondent are at liberty to appear before the registering Authority and clarify the correct position.



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If the registering Authority is unable to form a final opinion regarding the correct description of the property and if any doubt exists, then the parties are to be relegated to approach the competent civil Court of law for resolving the issues.

9. With these clarifications, the impugned writ order dated 22.11.2024 made in W.P.No.34247 of 2024 is set aside and the Writ Appeal stands **allowed**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S., J.) (C.S.N., J.)
15.09.2025

dsa
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order

To:

- 1.The District Registrar,
District Registrar Office,
Kallakurichi District.
- 2.The Sub-Registrar,
Vadakkanandal SRO Office,
Kallakurichi District.



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