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W.P.No.42204 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM:
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.42204 of 2025

Girija Kumar

... Petitioner

Vs.

The Sub Registrar,
Karumathampatty,
Bharathiyar Nagar,
Somanur,
Coimbatore – 641 668.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of Constitution of India, for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned refusal check slip bearing No.RFL/Karumathampatti/2/2025 dated 11.08.2025 issued by the respondent and quash the same as illegal and to consequently direct the respondent to register the settlement deed dated 11.08.2025.

For Petitioner : Mr.Sharath Chandran

For Respondent : Mr.U.Baranidharan,
Special Government Pleader

ORDER

This writ petition has been filed to call for the records pertaining to



W.P.No.42204 of 2025

the impugned refusal check slip bearing No.RFL/Karumathampatti/2/2025 dated 11.08.2025 issued by the respondent and quash the same as illegal and to consequently direct the respondent to register the settlement deed dated 11.08.2025.

2. Mr.U.Baranidharan, learned Special Government Pleader takes notice on behalf of the respondent. By consent of both the parties, this writ petition has been taken up for final disposal at the stage of admission itself.

3. Learned counsel for the petitioner submitted that the petitioner is the absolute owner of the property viz., site Nos.3-A and 4-A (vacant land admeasuring an extent of 5200 sq.ft.) situated within the residential layout by name “Annai Ganganayar Township” in Neelambur Village, Sulur Taluk, Coimbatore District. The petitioner executed a settlement dated 11.08.2025 in respect of the above said property in favour of her husband and presented the same for registration before the respondent. However, the respondent refused to register the same by issuing the refusal check slip dated 11.08.2025 stating that the subject property has been attached by an order passed in Arbitration proceedings. Challenging the same, the



W.P.No.42204 of 2025

petitioner has come forward with the present writ petition.

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4. Learned counsel for the petitioner would further submit that the petitioner is not a party in the proceedings and it was initiated by one Mr.Rajkumar against Mrs.Indira. The said order of attachment does not bind the petitioner. In this regard, he has furnished a copy of an order of this Court in W.P.No.10245 of 2025, dated 02.04.2025.

5. Learned Special Government Pleader appearing for the respondents would submit that since there was an order of attachment in the subject property, the respondent is not in a position to register the settlement deed. However, he would submit that the respondent will issue due notice to the aforesaid Mr.Rajkumar, who initiated the arbitration proceedings and also to Mrs.Indira and after the issuance of notice to both the parties as well as the petitioner, the respondent will take a final decision on the issue of registration of the settlement deed, presented by the petitioner.



W.P.No.42204 of 2025

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

7. As rightly submitted by the learned Special Government Pleader appearing for the respondent, this Court feels that it would be appropriate to hear the persons, who obtained the interim order of attachment from the Arbitration Authority viz., Mr.Rajkumar and Mrs.Indira. In the case on hand, the respondent ought to have issued notice to both Mr.Rajkumar and Mrs.Indira, before passing the impugned order. But, they failed to do so, which is unsustainable on the face of law.

8. In view of the above, the impugned order dated 11.08.2025 passed by the respondent is liable to be set aside. Accordingly, the said order is set aside. Consequently, the respondent is directed to conduct an enquiry by issuing notice to the petitioner as well as the persons, who obtained the order of attachment order from the arbitration authority viz., Mr.Rajkumar and Mrs.S.Indira, immediately upon the re-presentation of the settlement deed by the petitioner and take a decision based on the enquiry proceedings. It is made clear by this Court that the aforesaid exercise has to be completed within a period of six weeks from the date of



W.P.No.42204 of 2025

receipt of a copy of this order.

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With the aforesaid observation and direction, this writ petition stands disposed of. No costs.

10.11.2025

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking order

To

The Sub Registrar,
Karumathampatty,
Bharathiyar Nagar,
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Coimbatore – 641 668.



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W.P.No.42204 of 2025

KRISHNAN RAMASAMY, J.

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W.P.No.42204 of 2025

10.11.2025