



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 12-11-2025**

CORAM

**THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY**

**WP No. 42585 of 2025**

Mohan Nallasamy,  
S/o. Nallasamy,  
1/64 Malapalayam, T.Goundampalayam,  
Kadachanallur 638 008,  
Kumarapalayam Taluk, Namakkal District,  
Tamil Nadu.

Petitioner(s)

Vs

1.The Sub Registrar,  
Office Of The Sub Registrar,  
Pallipalayam 638 006,  
Namakkal District.

2.The Inspector General Of Registration,  
100, Santhome High Road, Chennai 28.

Respondent(s)

**PRAYER:-**Writ Petition filed under Article 226 of the Constitution of India,  
praying for an issuance of Writ of Certiorarified Mandamus, to call for the



records and quash the impugned refusal check slip dated 14.10.2025 bearing No.RFL/Pallipalayam/70/2025 issued by the 1<sup>st</sup> respondent and consequentially direct the 1<sup>st</sup> respondent to register the preliminary decree dated 12.09.2013 passed in OS.No.206 of 2001 by the learned Court of the Additional District Munsif, Tiruchengode.

For Petitioner(s): Mr.Ambarish D

For Respondent: Mr.Stalin Abhimanyu  
Additional Government Pleader

### **ORDER**

Challenging the impugned refusal check slip dated 14.10.2025 bearing No.RFL/Pallipalayam/70/2025 issued by the 1<sup>st</sup> respondent, the present writ petition has been filed.

2.Mr.Stalin Abhimanyu, learned Additional Government Pleader takes notice on behalf of the respondents. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.



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3.Learned counsel for the petitioner would submit that the petitioner along with his brother and sister filed a suit for partition in O.S.No.206 of 2001, before the Additional District Munsif Court, Tiruchengode concerning three items of property all situated in Kokkarayanpettai Village in Kumarapalayam Taluk, Namakkal District. The said suit was decreed in respect of Item Nos. 2 and 3 properties therein by way of a judgment and preliminary decree dated 12.09.2013. When the petitioner presented the said preliminary decree for registration, the 1<sup>st</sup> respondent refused to register the same stating that the said preliminary decree has not attained finality.

4.He would further submit that though the rights of the parties are decided in the preliminary decree and final decree is awaited only for the fixation of apportionment of the boundaries, the 1<sup>st</sup> respondent with non-application of mind, has refused to register the preliminary decree presented by the petitioner. Hence, the present writ petition is filed.



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5.Learned Additional Government Pleader appearing for the respondents would fairly submit that the if the petitioner re-present the preliminary decree, the same will be registered by the 1<sup>st</sup> respondent.

6.Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the materials available on records.

7.Considering the submissions made by either parties, this Court is of the view that when the preliminary decree determines the rights of the parties and the final decree only implements the terms of the preliminary decree, making it executable, the Sub-Registrar can very well register the preliminary decree. In the present case, since the rights of the parties are decided in the preliminary decree, it cannot be refused to register on the ground that the suit has not attain finality. Therefore, the impugned refusal check slip is liable to be set aside. Accordingly, the impugned refusal check slip dated 14.10.2025 is set aside. The



1<sup>st</sup> respondent is directed to register the preliminary decree dated 12.09.2013

made in O.S.No.206 of 2001 passed by Additional District Munsif Court,

Tiruchengode, if it is re-presented by the petitioner.

8. With the above directions, this writ petition is disposed of. No costs.

**12-11-2025**

**(2/2)**

rst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Sub Registrar,  
Office Of The Sub Registrar,  
Pallipalayam 638 006,  
Namakkal District.

2. The Inspector General Of Registration,  
100 Santhome High Road, Chennai 28.



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**KRISHNAN RAMASAMY J.**

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