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W.P.No.43330 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

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THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

W.P No. 43330 of 2025

and

WMP.No.48509 of 2025

1. Tharun Kumar Tiwari
2. N.Govindaraj

Petitioners

Vs

1. Inspector General of Registration,
Santhome High Road, Santhome,
Raja Annamalaipuram,
Chennai-600 028.

2.The District Registrar,
Jawan Bhavan Building,
Polur Road,
Tiruvannamalai-606 601.

3.The Sub Registrar,
Tiruvannamalai Joint-II-SRO,
Tiruvannamalai -606 601.



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4. Gunasundari

Respondents

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Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the 3rd respondent to consider and dispose of the protest petition dated 14.11.2024 filed by the 4th respondent within a time frame to be fixed by this Court and in the event the protest petition filed by the 4th respondent is found to be untenable, this Court may be pleased to direct the 3rd respondent to re-register the sale deed in favour of the petitioner, in accordance with the provisions of law, with respect to the lands comprised in Survey Nos.26/1A and 26/1B (subdivided into new Survey Nos.26/1A3, 26/1A4, 26/1B5 and 26/1B6), situated at Athiyandal village, Tiruvannamalai Taluk, Tiruvannamalai District.

For Petitioners : Mr.I.Iniyan
for Mr.Sidhartha Vishnu

For Respondents : Mr.U.Baranidharan (R1 to R3)
Special Government Pleader
Mr.S.Arun Kumar (R4)



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ORDER

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This Writ Petition has been filed seeking direction to the 3rd respondent to consider and dispose of the protest petition dated 14.11.2024 filed by the 4th respondent within a time frame to be fixed by this Court and in the event the protest petition filed by the 4th respondent is found to be untenable a direction may be issued to the 3rd respondent to re-register the sale deed in favour of the petitioners, in accordance with the provisions of law, with respect to the lands comprised in Survey Nos.26/1A and 26/1B (subdivided into new Survey Nos.26/1A3, 26/1A4, 26/1B5 and 26/1B6), situated at Athiyandal village, Tiruvannamalai Taluk, Tiruvannamalai.

2. The learned counsel for the petitioners would submit that the petitioners are the purchasers of the subject property from Mr.Munusamy and Mr.Baskar vide Sale Deed dated 12.04.2025. Initially, the 4th respondent filed a Writ Petition before this Court in W.P.No.3086 of 2025 seeking for a direction to the 1st respondent to forbear the 3rd



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respondent from registering any further transactions with respect to the subject property

and this Court by an order dated 06.03.2025, directed the 3rd respondent herein to

consider the protest petition filed by the 4th respondent dated 14.11.2024 and thereafter

take decision with respect to the registration of the subject property in case any

document is presented before the said Authority. But the said Authority without

considering the protest petition filed by the 4th respondent, as directed by this Court, has

arbitrarily registered the Sale Deed on 12.04.2025 with respect to the subject property in

favour of the petitioners. Hence, the 4th respondent filed Contempt Petition No.2216 of

2025 before this Court and this Court by an order dated 12.08.2025 has set aside the

aforesaid Sale Deed dated 12.04.2025 registered as Document No.5095 of 2025 and

directed to call the concerned party for an enquiry and take a decision with regard to the

registration of the document after considering the objections made by the 4th respondent

herein.



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2.1. Further, he would submit that pursuant to the aforesaid order, summons have been issued by the 3rd respondent to both the parties and both the parties appeared for enquiry and filed their submissions before the said Authority and the enquiry is under the progress. He therefore prays for a direction to the respondent to complete the enquiry and pass final orders as expeditiously as possible.

3. The learned counsel appearing for the 4th respondent would submit that pursuant to the summons issued by the 3rd respondent dated 03.09.2025, the 4th respondent also appeared before the 3rd respondent for enquiry and filed his submissions vide letter dated 11.09.2025. Further, he would submit that already necessary proceedings were initiated, hence, no further direction is required.

4. The learned Government Advocate appearing for the respondents 1 to 3 would submit that the Sale Deed dated 12.04.2025 has already been set aside by the order of



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this Court dated 12.08.2025 and enquiry also been conducted, but yet to pass final order, consequent to the order passed in the contempt petition.

5. This Court is unable to accept the submission made by the learned counsel for the 4th respondent for the simple reason that this Court while setting aside the Sale Deed dated 12.04.2025 has already directed the 3rd respondent herein to conduct enquiry and take a decision with regard to the registration of the document and pursuant to the same, summons have also been issued to both the parties and both the parties also appeared for enquiry and filed their respective submissions. Therefore, the stand of the 4th respondent that no orders can be passed at this stage, consequent to the setting aside of the Sale Deed by this Court, will not hold good, especially in view of the fact that the Sale Deed was set aside, enabling the official respondent to take a decision after a full fledged enquiry. The official respondent, having initiated the process of enquiry, cannot be leave the same abruptly without taking any decision thereon. Admittedly, an enquiry has already been commenced and is under progress and therefore, it is incumbent on the respondents to take a final decision in one way or the other.



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6. In such view of the matter, the 3rd respondent is directed to complete the enquiry and pass final orders, within a period of ***four weeks*** from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of accordingly. No costs.

8. WMP.No.48509 of 2025, filed to permit the petitioners to file a single writ petition is ordered subject to payment of separate court fee.

13.11.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking Order : Yes / No

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Note: Registry is directed to issue order copy after ensuring the payment of Court fee as ordered by this Court.

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To

1. Inspector General of Registration,
Santhome High Road, Santhome,
Raja Annamalaipuram,

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Chennai-600 028.

2.The District Registrar,
Jawan Bhavan Building,
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Tiruvannamalai-606 601.

3.The Sub Registrar,
Tiruvannamalai Joint-II-SRO,
Tiruvannamalai -606 601.

KRISHNAN RAMASAMY, J.



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