



W.P.No.47126 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.47126 of 2025

D.Devaraj @ Devarajan

... Petitioner

-vs-

The Sub Registrar,
No.2/232B, Thiruvannamalai Main Road,
Gingee – 604 153.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in his Refusal Check Slip in RFL/Gingee/27/2025 dated 30.10.2025 and quash the same and thereby direct the respondent to register the sale deed executed by the petitioner in respect of the property in



W.P.No.47126 of 2025

Survey No.68/16B – 0.16.0 ares (40 cents) situate at Melkalavai Village,

Gingee Taluk, Villupuram District.

For Petitioner : Mr.N.Suresh

For Respondent : Mr.V.Baranidharan, Spl. Government Pleader=

ORDER

The petitioner had executed a sale deed dated 29.10.2025 in respect of the property in Survey No.68/16B at Melkalavai Village and submitted the same for registration. The request for registration was rejected under impugned refusal check slip dated 30.10.2025.



W.P.No.47126 of 2025

2. Learned counsel for the petitioner submits that the petitioner had

purchased properties under two registered sale deeds dated 14.07.2005

(Document No.1326 of 2005) and 05.03.2007 (Document No.436 of 2007).

He also submits that the petitioner executed sale deed dated 03.08.2012 in

favour of his son, but that the said sale deed did not convey the property in

Survey No.68/16B. Although his son has filed O.S.No.285 of 2022 for a

declaration that the sale in his favour includes the land in Survey No.68/16B,

he submits that no orders restraining the sale of the relevant property have

been obtained in such suit. Learned counsel also submits that the mere

pendency of such suit is not a bar against registration.

3. Learned Special Government Pleader accepts notice for the sole

respondent. He points out that the matter has become complicated because

the petitioner's son executed settlement deed dated 22.03.2022 in favour of

his son Elamaran in respect of the land in Survey No.68/16B of the extent of



W.P.No.47126 of 2025

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4. The petitioner has filed the sale deed under which he conveyed some of his properties to his son on 03.08.2012. On *prima facie* examination, it does not include land in Survey No.68/16B. The petitioner's son has filed O.S.No.285 of 2022 for a declaration in relation to this property. Since the instrument presented for registration has been executed subsequent to the institution of the suit, the conveyance by the petitioner would be subject to *lis pendens*. However, the pendency of the suit does not per se constitute a bar against the registration of the instrument. Hence, impugned refusal check slip cannot be sustained and is hereby set aside.

5. As a corollary, the matter is remanded to the Sub Registrar. Upon the petitioner re-presenting the sale deed for registration, necessary measures relating to the registration thereof shall be taken subject to fulfilment of all



W.P.No.47126 of 2025

other requirements in this regard within **two weeks** from the date of re-
presentation.

6. Accordingly, this writ petition is disposed of. No costs.

09.12.2025

rna

Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

To

The Sub Registrar,
No.2/232B, Thiruvannamalai Main Road,
Gingee – 604 153.



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W.P.No.47126 of 2025

SENTHILKUMAR RAMAMOORTHY,J

rna

W.P.No.47126 of 2025



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W.P.No.47126 of 2025

09.12.2025