



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-11-2025**

CORAM

**THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY**

**WP No. 46489 of 2025**

Valarmathi  
W/o.Ravichandran, No.3/123-1,  
Soodanur Village, Palacode Taluk,  
Dharmapuri District.

Petitioner(s)

Vs

1. The District Registrar  
District Registrar Office,  
Dharmapuri District.

2.The Sub- Registrar  
Rayakottai Sub Registrar Office,  
Dharmapuri District.

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, Call for the records relating to the impugned proceedings dated 29.10.2025 made in refusal check slip in RFL /Rayakottai/ 36/ 2025 issued by the 2nd respondent quash the same as illegal, improper , unreasonable, arbitrary and against the principles of natural justice and thereby direct the 2nd respondent to register the sale deed dated 29.10.2025 (No.TP / 235970260/ 2025) presented by the petitioner.



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For Petitioner(s): B.Sundarapandiyan

For Respondent: Mr.Abishek Murthy, GA

### **ORDER**

This writ petition has been filed challenging the impugned proceedings dated 29.10.2025 issued by the 2<sup>nd</sup> respondent.

2. Mr.Abishek Murthy, learned Government Advocate, takes notice on behalf of the respondents.

3. By consent of the parties, the main petition is taken up for disposal at the admission stage itself.

4. The learned counsel for the petitioner would submit that in this case, the petitioner's vendors' father and family were in absolute possession and enjoyment of the subject property. After the demise of vendors' father, the said property was orally partitioned between the vendors. Now, due to economic situation, the vendors had decided to sell the subject property to the petitioner and presented the sale deed dated 28.10.2025, with boundaries, before the 2<sup>nd</sup> respondent for the purpose of registration. However, the 2<sup>nd</sup> respondent had refused to register the said sale deed, vide impugned proceedings dated 29.10.2025, citing the reason that no partition deed was executed in respect of



the subject property and hence, undivided joint ownership property cannot be sold without partition. Hence, the present petition.

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5. In reply, the learned Government Advocate, appearing for the respondents would submit that in this case, though the sale deed was presented, with boundaries, no sub-division/partition was made in the subject property. However, he would fairly submit that if the sale deed was re-presented, the respondents will issue notice to all the concerned persons and conduct enquiry and thereafter, decide with regard to the registration of sale deed. Hence, he requests this Court to pass appropriate orders.

6. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and also perused the entire materials available on record.

7. In the case on hand, admittedly, no partition deed was executed between the petitioner's vendors in respect of the said property. In such case, if any sale deed, pertaining to the subject property, is presented, with boundaries, the Registering Authority is supposed to have issue notice to the concerned parties and conduct enquiry prior to the registration of such deeds or documents. However, in this case, the aforesaid exercises were not carried out by the respondents at the time of refusal of registration of sale deed executed in favour



of the petitioner. When such being the case, this Court is inclined to set aside the impugned proceedings issued by the 2<sup>nd</sup> respondent.

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8. Accordingly, the impugned proceedings dated 29.10.2025 is set aside. The petitioner is directed to re-present the sale deed dated 29.10.2025. Upon such re-presentation, the respondents shall issue notice to all the concerned parties and after conducting enquiry, appropriate decision shall be made with regard to the registration of sale deed in accordance with law.

9. With the above directions, this writ petition is disposed of. No cost.

**28-11-2025**

nsa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To  
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1.The District Registrar  
District Registrar Office, Dharmapuri  
District.

2.The Sub- Registrar  
Rayakottai Sub Registrar Office,  
Dharmapuri District.



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**KRISHNAN RAMASAMY J.**  
nsa

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