



W.P.No.47196 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

CORAM

THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P.No.47196 of 2025

A.Arokiyasamy

... Petitioner

-VS-

The Sub Registrar,
Thirukovilur Registrar Office,
Thirukovilur Taluk,
Kallakurichi District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order bearing Refusal Number: RFL/Thirukovilur/188/2025 dated 12.11.2025 passed by the respondent is illegal and quash the same, subsequently mandamus directing the respondent to register the petitioner's document bearing Temporary No. TP/232103540/2025.



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For Petitioner : Ms.K.Varsha
for Mr.G.Ranganathan

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

ORDER

A refusal check slip dated 12.11.2025 is challenged in this writ petition primarily on the ground that the mere pendency of a suit is not a bar for registration.

2. Learned counsel for the petitioner submits that the petitioner had purchased a property from Mr.Loorthusamy under sale deed dated 08.09.2025 and presented the same for registration. Merely on the ground that O.S.No.95 of 2016 is pending, learned counsel submits that the request for registration was refused.

3. Learned Special Government Pleader accepts notice for the sole respondent. He points out that O.S.No.95 of 2016 was cited as the ground of



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refusal in W.P.No.47115 of 2025, which was listed as item no.19 today. As in the earlier case, he submits that the petitioner may be directed to submit an affidavit in respect of the pending civil suit.

4. In W.P.No.47115 of 2025, the order dated 13.06.2017 in I.A.No.496 of 2016 in O.S.No.95 of 2016 was filed. On perusal, it was noticed that the interim order was until disposal of C.M.P.No.2010 of 2015 in M.C.No.22 of 2015. The petitioner therein had submitted documents indicating that C.M.P.No.2010 of 2015 and M.C.No.22 of 2015 had been disposed of. Because the same suit has been cited in the impugned refusal check slip, the petitioner herein is similarly placed.

5. Since the mere pendency of a suit is not a bar against registration, the impugned order cannot be sustained and is hereby set aside. The petitioner shall file an affidavit relating to O.S.No.95 of 2016 within **one week** from the date of receipt of a copy of this order. Within **two weeks** from the date of receipt thereof, the Sub Registrar shall re-consider the request for registration and take necessary measures in relation thereto, subject to fulfillment of all other requirements in that regard.



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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,
Thirukovilur Registrar Office,
Thirukovilur Taluk,
Kallakurichi District.



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SENTHILKUMAR RAMAMOORTHY,J

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