



W.P.(MD)No.3690 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **V. LAKSHMINARAYANAN**

W.P.(MD)No.3690 of 2025

V.Ravi

... Petitioner

vs.

1.The Sub Registrar,
Bodinayakkanur,
Theni District.

2.Vasuki

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned check slip in ref.No.RFL/Bodinayakkanur/70/2024 dated 10.12.2024 issued by the first respondent and quash the same as illegal and unconstitutional and consequently direct the first respondent to register the sale deed dated 11.01.2021 presented by the petitioner for registration and release the same to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.B.Arun

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate (for R1)
Mr.P.Ranjith Raja (for R2)



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ORDER

The petitioner states that the property situated at S.No.530/3, Sri Jayam Nagar, P.Ammapatty Village, Bodinayakanur Taluk, Theni District, belongs to one Rathinakumari. The said Rathinakumari had purchased the property from one S.R.Manickam on 05.04.2013. Rathinakumari, thereafter, appointed the writ petitioner/ Ravi as her power of attorney on 27.02.2024. The petitioner presented a document of sale to the first respondent for registration.

1.1 At that time, it came to the petitioner's knowledge that the second respondent had submitted an objection, stating that she had purchased the property in S.No.600/1 of the very same village, with similar boundaries. She claimed that she had purchased the property from Ranjith Kumar and one Venkatesan in the year 2014. Alleging that she had been cheated by her vendors, she claimed to have lodged a complaint in Crime No.431 of 2015 with the Palanichittiyapatti Police Station, Theni District. Considering the objection filed by the second respondent, the first respondent issued a refusal check slip. Challenging the same, the present writ petition has been filed.



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WEB COPY 2. When the matter came up for admission, Mr.N.Ramesh Arumugam, learned Government Advocate, took notice for the first respondent and notice was ordered to the second respondent.

3. Mr.P.Ranjith Raja had entered appearance for the second respondent.

4. I heard the respective counsels.

5. The learned counsel for the petitioner reiterated the contentions in the affidavit.

6. Mr.P.Ranjith Raja pleaded that the second respondent had purchased the property in the year 2014 and if the registration of the document presented by the writ petitioner is permitted, it will adversely affect the rights of the second respondent. He pleads that the second respondent is the owner of the property and therefore, no sale deed must be registered at the instance of the writ petitioner or any other person. Taking me through the impugned order, he reiterated the contents thereof and supported the same.



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WEB COPY 7. I have carefully considered the submissions of both sides and have gone through the records.

8. The issue is whether the first respondent is empowered to decide whether the petitioner's principal is the owner of the property or whether the second respondent is the owner. In terms of Rule 55 of the Registration Rules, the first respondent is not entitled to go into the issues of title. Furthermore, the mere fact that the registration of the document presented by the writ petitioner might result in double entry, does not give the first respondent the authority to reject the registration. This issue has already been settled by a judgment of this Court in the case of ***T.Senthilvel Vs., The District Registrar in W.P(MD).No.22114 of 2024, dated 17.10.2024.*** The learned Judge held that merely because there is a double entry in respect of the subject property, registration cannot be refused.

9. Respectfully following the same view, the impugned order passed by the first respondent in ref.No.RFL/Bodinayakkanur/70/2024, dated 10.12.2024, is quashed. There shall be a direction to the first respondent to register the sale deed presented by the writ petitioner on behalf of his principal/



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Rathinakumari.

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10. Needless to add, mere registration of a document would not confer any right on the purchaser, if the vendor has no title to the property. The parties are always entitled to approach the jurisdictional civil Court to work out their rights. It is for the civil Court to decide whether Rathinakumari is the owner of the subject property or whether Vasuki/ second respondent herein, is the owner by virtue of her purchase from Venkatesan and Ranjith Kumar. The registration of the document will not prevent the parties from agitating their respective rights before the jurisdictional civil Court.

11. With the above directions, this Writ Petition is ordered. No costs.

Index :Yes / No
NCC :Yes / No
Rmk

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To

The Sub Registrar,
Bodinayakkanur,
Theni District

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V. LAKSHMINARAYANAN, J.

Rmk

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