



W.A(md)No.323 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:05.12.2025

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THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

AND

THE HONOURABLE MR.JUSTICE **K.K.RAMAKRISHNAN**

WA(MD)No.323 of 2025

and

C.M.P(MD)Nos.2512, 2424 and 15393 of 2025

S.Alice Rahini

... Appellant/3rd Party

Vs.

1.P.Sivakumar

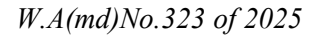
...1st Respondent/Writ Petitioner

2.The Sub-Registrar,
Sub-Registrar Office,
Swamy Sannathi Street,
Sathankulam, Sathankulam Taluk,
Thoothukudi District-628 704

...2nd Respondent/1st Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 06.01.2025 passed by this Court in W.P(MD)No.166 of 2025.

For Petitioners	: Mr.E.V.N.Siva, for Mr.A.Ajith Geethan
For R1	: Mr.Saji Chellan for Mr.S.Jayakumar
For R2	: Mr.A.Kannan, Additional Government Pleader



(Judgment of the Court was delivered by DR.G.JAYACHANDRAN,J.)

2. After notice to the writ appeal, the learned counsel appearing for the first respondent/writ petitioner submitted that the sale deed presented its only as per the preliminary decree passed in O.S.No.20 of 2021 and the registration is required to be registered though the sale deed entered prior to the passing of the preliminary decree.

<https://www.mhc.tn.gov.in/judis>



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order reads as below:

“5.On perusal of the sale deed, which was already presented for registration, it clears that the petitioner's father had purchased only 3/5th share in the subject property. Therefore, the respondent can very well register the undivided share of the petitioner's vendors in favour of the petitioner as per the preliminary decree.

6.In view of the above, the petitioner is directed to re-present the sale deed for registration before the respondent and on receipt of the same, the petitioner is directed to register the undivided share of the subject property as per the preliminary decree passed in re-numbered suit in OS.No.20 of 2021, on the file of the Sub-Court, Thiruchendur, Tuticorin District.”

4.We find that the Sub-Registrar, Sathankulam, Thoothukudi District, is directed to register the undivided share of the subject property as per the preliminary decree passed in renumbered suit in O.S.No.20 of 2021. Therefore, the apprehension of the appellant has no basis.

5.We have no doubt that the Sub-Registrar, Thoothukudi District, will ensure to register the document which is not inconsonance with the preliminary decree passed in renumbered suit in O.S.No.20 of 2021 on the file of the Sub-Court, Tiruchendur. We also have to add that such registration



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shall ever be subjected to the passing of the preliminary decree and once the final decree is passed in the above said suit, it shall be merged with the preliminary decree.

6. With this clarification, this Writ Appeal stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] & [K.K.R.K., J.]
05.12.2025

Index : Yes/No
Internet : Yes
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To

The Sub-Registrar,
Sub-Registrar Office,
Swamy Sannathi Street,
Sathankulam, Sathankulam Taluk,
Thoothukudi District-628 704



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