



W.P(MD)No.4256 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.4256 of 2025

Saravanakumar

... Petitioner

Vs.

The Joint Sub-Registrar No-I,
Palani, Dindigul District.

... Respondent

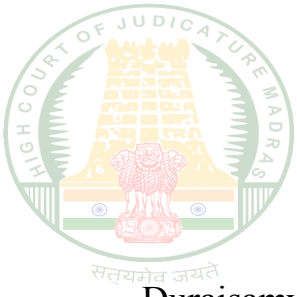
PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the respondent in Refusal Number.RFL/ 1 No. Joint Sub Registrar Palani/22/2025, dated 06.02.2025 and to quash the same as illegal, consequently, to direct the respondent to register the sale agreement, dated 06.02.2025, presented by the petitioner's vendors for registration within a time frame.

For Petitioner : Mr.D.Venkatesh

For Respondent : Mr.S.Saji Bino
Special Government Pleader

ORDER

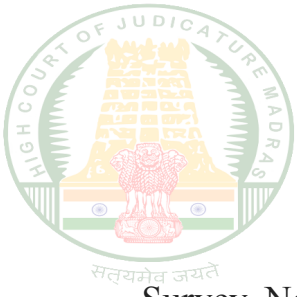
The present Writ Petition has been filed for the issuance of aWrit of Certiorarified Mandamus, to quash the Refusal Number.RFL/ 1 No. Joint Sub Registrar Palani/22/2025, dated 06.02.2025 and consequently, to direct the respondent to register the sale agreement, dated 06.02.2025, presented by the petitioner's vendors for registration within a time frame.



W.P(MD)No.4256 of 2025

2. It is the case of the petitioners that the one Karuppusamy and one

Duraisamy jointly purchased the property in Survey No.149/5 with an extent of 94 cents situated at Sivagiripatti Village, Palani Taluk. After purchase of the property, they got patta in their name in Patta No.1310. After their purchase, one Sivaraman and his brother Suriyanarayanan filed a suit in O.S.No.48 of 2004 before the Sub-Court, Palani as against them. In the suit, a declaratory relief with consequential injunction was sought for in respect of the properties in Survey Nos.149/4 & 149/5 at Sivagiripatti Village. By the judgment and decree dated 29.07.2010, they got decree in their favour. Aggrieved over the same, Karuppusamy, Duraisamy and Karunanithi filed an appeal in A.S.No.49 of 2010 before the Additional District Court, Dindigul. By the Judgment and decree, dated 03.10.2023, the appeal suit was allowed and thereby, the decree granted in favour of Sivaraman and Suriyanarayanan was set-aside. Challenging the same, a second appeal in S.A.(MD) No.231 of 2014 was filed before this Court and the same is pending. The right of Karuppusamy, Duraisamy and Karunanithi over Survey No. 149/5 as confirmed by the appellate Court is not stayed. Now, they are intended to sell the property. Hence, on 06.02.2025, they executed a sale agreement in favour of the petitioner and presented the same for registration before the respondent. Instead of registering the document, the respondent refused to register the same by issuing the impugned refusal check, dated 06.02.2025.



W.P(MD)No.4256 of 2025

3.In the impugned refusal check slip, it is stated that in respect of Survey No.149/5 there was a registered family arrangement in Document No. 422/2000 between Sivaraman and Suriyanarayanan. Despite the same, the sale deed in Document No.451/2007 was registered. Thereafter, by Document No. 743/2010 the registered family agreement was cancelled. Patta in Patta No.1786 stands in the name of Sivaraman and Suriyanarayanan. Since there are double entries, the document cannot be registered. The respondent also insisted for Patta in the name of executors.

4.The respondent has refused to register the property, since there is a double entry in the registration of the disputed land. As far as the issue of double entry is concerned, this Court has already settled the issue in the case of W.P. (MD)No.22114 of 2024, vide order, dated 17.10.2024 and also in W.P.(MD)No. 11299 of 2025, dated 23.04.2025.

5.Therefore, the respondent cannot refuse to register based on the double entry. Hence, the impugned refusal slip is quashed and the respondent is directed to register the petition mentioned document by making double entry which would be evident in the encumbrance certificate.

6.As far as production of revenue records is concerned, the



W.P(MD)No.4256 of 2025

respondent cannot refuse by citing patta. If the respondent is in need of any clarification, they can seek clarification from the revenue authorities. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

7. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

25.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

Tmg

To

The Joint Sub-Registrar No-I,
Palani, Dindigul District.



WEB COPY



W.P(MD)No.4256 of 2025

S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.4256 of 2025**

DATED : 25.06.2025