



W.P(MD)No.7554 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 14.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7554 of 2025

Paulkani

... Petitioner

Vs

1. The Sub Registrar,
Pankudi,
Tirunelveli District.

2. Ponnuthai

... Respondents

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 impugned Refusal Check Slip under RFL/Panakudi/11/2025 dated 25.02.2025 issued by the first respondent and quash the same and to direct the first respondent to register the Sale Deed dated 24.02.2025, presented by the petitioner, within a time frame as may be fixed by this Court.

For Petitioner : Mr. G.Aravinthan

For R-1 : Mr.D.Sasi Kumar
Additional Government Pleader

For R-2 : Mr.D.Packiaraj



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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 25.02.2025 and consequently to direct the first respondent to register the Sale Deed dated 24.02.2025.

2. Through the impugned order, the first respondent by citing the suit pending is O.S.No.138 of 2024 on the file of the Principal District Court, Valliyur and has refused to register the sale deed.

3. The learned Counsel appearing for the second respondent submitted that the parent document of the present sale deed itself is questioned in the said suit, wherein a declaration has been sought to declare the same as null and void.

4. Even if such a prayer is sought in the suit, the first respondent cannot refuse to register the sale deed. Pending suit, the petitioner is taking risk to register the sale deed. Further, the Sub Registrar cannot refuse to register the sale deed citing pending suit without any injunction order. Therefore, the impugned order is quashed. The first respondent is directed to register the sale deed within a period of four (4) weeks from the date of receipt of a copy of this order. However,



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while registering the sale deed, a remark may be added that a suit is pending with respect to the subject property.

5. With the above said directions, this Writ Petition is allowed. There shall be no order as to costs.

14.07.2025

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

jbr

To:

The Sub Registrar,
Pankudi,
Tirunelveli District.



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S.SRIMATHY, J.

jbr

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