

W.P(MD)No.8024 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.03.2025

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THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.8024 of 2025

- 1.K.R.Asokan
- 2.Jegadeesan
- 3.Jeyalaskhmi
- 4.Mahalakshmi

..Petitioners

Vs

- 1.The Revenue Divsional Officer,
Iluppur,
Pudukkottai District.
- 2.The Tahsildar,
Ponnamaravathi,
Pudukkottai District.
- 3.The District Registrar,
Registration Department,
Karaikudi,
Sivagangai District.
- 4.The Sub Registrar,
Ponnamaravathi,
Pudukkottai District.

..Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 3 and 4 to register sale deed with regard to the property of the petitioners comprised in T.S.No.1230-2 of Ponnamaravathi West Village, Ponnamaravathi Taluk, Pudukottai District admeasuring 11 ares equivalent to 26 cents.

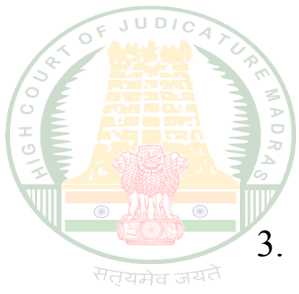
For Petitioners : Ms.M.Viveka

For Respondents : Mr.R.Sureshkumar
Govt. Advocate

ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents 3 and 4 to register sale deed with regard to the property of the petitioners comprised in T.S.No.1230/2 of Ponnamaravathi West Village, Ponnamaravathi Taluk, Pudukottai District admeasuring 11 ares equivalent to 26 cents.

2. Heard Ms.M.Viveka for the petitioner and Mr.R.Sureshkumar, learned Additional Government Pleader, for the respondents.



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3. The petitioners presented a sale deed with respect to the above mentioned property. According to them, the property was originally possessed by one Karuppaiya Asari and his wife, Annapooraniammal. They had purchased the same from one Manickam Chettiyar by way of a registered document in Doc. No.1735/1982 dated 27.11.1982 on the file of the third respondent.

4. The petitioners plead that the aforesaid sale deed covered not only the property in S.No.614/2, but also the property situated in S.No.614/7. Subsequently, the revenue authority had merged both the properties in one survey number and assigned it T.S.No.1230/2. The petitioners further plead that their mother, Annapooraniammal, passed away on 28.10.2024. On her death, they succeeded to the estate. Therefore, they wanted to alienate the property. When they presented the document, the fourth respondent stated that one P.Ramanathan S/o Palaniappan is claiming title over the same and therefore, he will not register the document. Hence, this writ petition.

5. Ms.M.Viveka argues that it is not the business of the Sub Registrar to probe into the questions of title.



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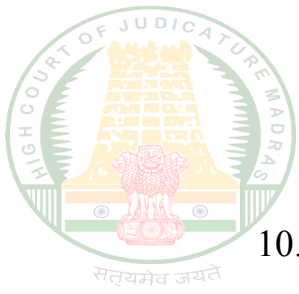
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6. Mr.R.Sureshkumar, learned Additional Government Pleader, pleads that there is already a document in Doc. No.1558/2019 and it was under those circumstances that the Sub Registrar refused to receive the document presented by the petitioners. He further points out that no document has been presented by the petitioners so far.

7. I have carefully considered the submission of both sides.

8. Whether the Sub Registrar possesses the power to reject the registration of the document on the ground that it might result in double entry was answered in **T.Senthilvel vs. District Registrar (Administration), Dindigul District, and others, W.P.(MD).No.22114 of 2024 dated 17.10.2024**. This court held that merely because there is a double entry in respect of the subject property, registration cannot be refused.

9. Furthermore, as contended by Ms.M.Viveka, under Rule 55 of the Registration Rules, it cannot investigate into the matters of title.



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10. In any event, if the writ petitioners do not have title to the property, any alienation made by them in favour of the third party will not confer any right on the third party. The registration of the document does not guarantee that the purchaser has title and that such a title is transferred to the vendor. It is only a record of a transaction.

11. In the light of the above discussions, this writ petition is ordered. There shall be a direction to the fourth respondent to register the document presented by the petitioner. The said exercise shall be completed within a period of two weeks from the date of uploading of this order. No costs.

24.03.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

skn

To

1. The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.

2. The Tahsildar,
Ponnamaravathi,
Pudukkottai District.



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3.The District Registrar,
Registration Department,
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4.The Sub Registrar,
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V.LAKSHMINARAYANAN, J.

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