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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7916 of 2025

R.Barani

... Petitioner

vs.

1. The Joint Sub Registrar No.2,
Sivagangai,
Sivagangai District.

2. Kosalai

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a *Writ of Certiorarified Mandamus*, calling for the records relating to the Check Slip Refusal Number.RFL/2 Joint Sub Registrar, Sivagangai/7/2025, issued by the 1st respondent dated 06.03.2025 and quash the same and consequently direct the 1st respondent to register the sale deed dated 04.03.2025.

For Petitioner : Mr.C.Meenakshi Rama Prabu

For Respondents : Mr.G.Suriya Ananth,
Additional Government Pleader for R-1



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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 Check Slip Refusal Number.RFL/2 Joint Sub Registrar, Sivagangai/7/2025, issued by the 1st respondent dated 06.03.2025 and consequently direct the 1st respondent to register the sale deed dated 04.03.2025.

2. Through the impugned order the respondent have stated that the suit is pending regarding the property and hence the document cannot be registered

3. The contention of the petitioner is that the 2nd respondent is her sister and she has already been settled with a property. But she has filed a suit in O.S.No.32 of 2025 on the file of the Sub Court, Sivagangai for partition, in which the petitioner and the 2nd respondent are also arrayed as parties for division of property. The contention of the petitioner is that as a legal heir the petitioner is entitled to the property. Even if it is considered the 2nd respondent is having share



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in the property, then the petitioner is also having share, then the petitioner is entitled to sell the undivided share and other legal heirs are entitled to their respective share. The learned counsel appearing for the petitioner submitted that the petitioner is in need of money for her mother's medical treatment. The same is recorded.

4. The respondent by citing the pending suit had refused to register the petitioner's document. Pending litigation cannot be a ground for refusing to register the document. If such stand is allowed the respondent would be sitting a civil court and decide the title of the parties, which is impermissible under law.

5. Therefore, the refusal check slip issued by the 1st respondent dated 06.03.2025 is hereby quashed. Consequently, the 1st respondent is directed to register the sale deed, within a period of two weeks from the date of receipt of a copy of the order.



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6. With these observations, this writ petition is disposed of. No costs.

26.06.2025

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



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To

The Joint Sub Registrar No.2,
Sivagangai,
Sivagangai District.



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S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.7916 of 2025**

DATED :26.06.2025