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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.06.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No. 8773 of 2025

Subburaj

... Petitioner

Vs.

The Sub Registrar,
Kallikudi Sub Registrar,
Kallikudi,
Madurai.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a *Writ of Certiorarified Mandamus* to call for the records pertaining to the impugned order of the Respondent in Refusal Check Slip in RFL/ Kallikudi/6/ 2025 dated 14.03.2025 and quash the same as illegal and consequently direct the Respondent to register the document in Doc.No. TP/ 213383661/2025.

For Petitioner : Mr.M.Murugaraj
For Respondent : Mr.G.Suriya Ananth
Additional Government Pleader,



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ORDER

The present writ petition is filed for ***Writ of Certiorarified Mandamus*** to quash the impugned order of the Respondent in Refusal Check Slip in RFL/ Kallikudi/6/ 2025 dated 14.03.2025 and also seeking consequentail direction to the Respondent to register the document in Doc.No. TP/ 213383661/2025.

2. The contention of the petitioner is that he purchased the disputed property from one Krishnasamy, who originally owned 3.50 acres of land. The said Krishnasamy had already sold a portion of 31 cents to one Ramya through a sale deed dated 15.02.2023. Now, Krishnasamy has proposed to sell the remaining land to the petitioner. A sale deed was submitted to the respondent for this transaction, however, it was returned by the respondent, stating that the land belongs to the Kalaimagal Sabha.



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3. The contention of the petitioner is that the Kalaimagal Sabha owns several properties in various locations, including Madurai, Trichy, and other places. In Kallikudi Bit-1 village, the Kalaimagal Sabha possesses property. However, as far as Bit-II is concerned, the Kalaimagal Sabha does not own any property. The petitioner now intends to purchase Bit-II. Therefore, the respondent, without applying due consideration, refused to register the document.

4. On perusal of the records, it is seen that Kallikudi Bit-1 belongs to Kalaimagal Sabha, wherein in the year 1993, based on document No. 2498/1993 dated 09.06.1993, the sale was registered between one Duraisamy and Kalaimagal Sabha. As far as Bit-2 is concerned, the encumbrance certificate states that Bit-2 belongs to Krishnasamy. Hence, this Court is *prima facie* convinced that Kalaimagal Sabha does not have any property in Bit-2. In case the property belongs to Kalaimagal Sabha, a remedy is available to approach the Civil Forum.

5. Accordingly, this Writ petition is allowed. The impugned order of the Respondent in Refusal Check Slip in RFL/ Kallikudi/6/ 2025



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dated 14.03.2025 is hereby quashed. The respondent is directed to register the sale deed and the said exercise shall be completed within a period of four weeks from the date of receipt of a copy of the order. No costs.

12.06.2025

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

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To

The Sub Registrar,
Kallikudi Sub Registrar,
Kallikudi,
Madurai.



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S.SRIMATHY, J

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