



W.P(MD)No.11385 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.11385 of 2025

1. S.Chellaperumal

2. S.Prema

3. S.Karthi

... Petitioner(s)

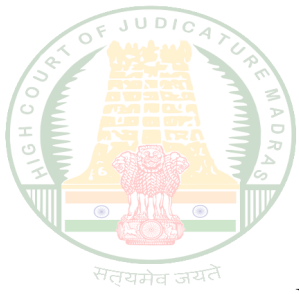
Vs.

1. The Sub Registrar
Kariapatti,
Virudhunagar District.

2.P.Thangavel
(R2 is suo motu impleaded vide Court order
dated 23.04.2025 in W.P.(MD).No.11385 of 2025)

... Respondent(s)

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 Check Slip issued by the first respondent, Sub-Registrar, Kariapatti vide Refusal Number RFL/Kariapatti/18/2025 dated 03.04.2025 and quash the same as illegal, consequently direct the first respondent to register the Sale Deed executed in favour of one Mr. Packiyaraj by petitioners, within the time frame stipulated by this Honble Court.



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For Petitioners : Mr.S.Balamurugan
For Respondent : Mr.D.Sasikumar (for R1)
Additional Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Check Slip issued by the first respondent, Sub-Registrar, Kariapatti vide Refusal Number RFL/Kariapatti/18/2025 dated 03.04.2025 and quash the same and consequently to direct the first respondent to register the Sale Deed executed in favour of one Mr. Packiyaraj by petitioners.

2.Heard Mr.S.Balamurugan, the Learned Counsel for the petitioners, Mr.D.Sasi Kumar, the Learned Additional Government Pleader for the first Respondent and perused the material documents available on record.

3.The first respondent has refused to register the sale deed by citing the existence of a previous registered power of attorney. Since there is power of attorney, this Court *suo motu* impleaded the power executant namely, Thangavel, as second respondent and ordered to be issue private notice. The petitioner has



also filed a delivery receipt before this Court. But, this impleaded respondent failed to appear.

4.The learned Additional Government Pleader appearing for the first respondent submitted that there is power of attorney entered in the Register wherein, the power has been given by one Thangavel to his wife. Now the petitioner is intended to register the sale deed. The learned Additional Government Pleader further submitted that earlier writ petition in W.P.(MD).No. 9166 of 2021 was filed by the said Thangavel and the same was allowed with a direction to the first respondent to register the power of attorney executed by the second respondent. Citing the same, the present impugned refusal check slip has been passed by the first respondent in No.RFL/Kariapatti/18/2025 dated 03.04.2025 .

5.It is seen there is a title dispute between the petitioner and the said Thangavel and persons claiming title through him. It is settled law that the title of the property cannot be gone into by the first respondent. However, the parties aggrieved are at liberty to approach the competent Civil Court to establish their right. Hence, the impugned check slip is liable to be quashed.



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6. Accordingly, this writ petition stands allowed. The impugned check slip issued by the first respondent, Sub-Registrar, Kariapatti vide Refusal No.RFL/Kariapatti/18/2025 dated 03.04.2025 is hereby quashed. The first respondent is directed to register the Sale Deed executed in favour of one Mr. Packiyaraj by petitioners and the said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

24.06.2025

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

VSG

To:

1. The Sub Registrar
Kariapatti,
Virudhunagar District.



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S.SRIMATHY, J.

VSG

**ORDER MADE IN
W.P(MD)No.11385 of 2025**

DATED :24.06.2025