



W.P.(MD) No.12006 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.12006 of 2025

C.Rengaraj	...	Petitioner
	Vs	
The Sub Registrar, Annavaasal Sub Registrar Office, Pudukkottai District.	...	Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records relating to the impugned refusal check slip in RFL/Annavaasal/24/2025, dated 28.03.2025, issued by the respondent, quash the same, and consequently direct the respondent to receive the sale deed executed by the petitioner, register the sale deed, dated 28.03.2025, and release the document presented by the petitioner as per the Registration Act, 1908.

For Petitioner : Mr.B.Prasanna Vinoth

For Respondent : Mr.P.T.Thiraviyam,
Govt. Advocate.



W.P.(MD) No.12006 of 2025

WEB COPY

ORDER

The petitioner seeks for the following relief :

"Writ of certiorarified mandamus, to call for the records relating to the impugned refusal check slip in RFL/Annavaasal/24/2025, dated 28.03.2025, issued by the respondent, quash the same, and consequently direct the respondent to receive the sale deed executed by the petitioner, register the sale deed, dated 28.03.2025, and release the document presented by the petitioner as per the Registration Act, 1908."

2. The petitioner states that the land situated in S.F.No.217/3A at Sathyamangalam Village, Kulathur Taluk, Pudukkottai District, belongs to him. A dispute arose between the petitioner and a third party, which resulted in institution of a suit in O.S.No.24 of 2018 on the file of Additional District Court, Pudukkottai. In the said suit, an application for attachment was moved and the court ordered attachment in I.A.No.68 of 2018.

3. The petitioner, being desirous of doing quarrying business, applied to the appropriate authority for permission. At that stage, the petitioner came to know of the attachment order passed by the court, standing in his way. Hence, he moved an application in I.A.No.83 of 2025, undertaking to furnish security through another property and sought for release of the



W.P.(MD) No.12006 of 2025

WEB COPY

subject property. The learned Additional District Judge heard the arguments and reserved orders in the application.

4. In the meantime, before the orders are passed by the learned Additional District Judge, the petitioner presented the document/lease deed for registration. The said document was refused to be registered by way of the impugned order, dated 28.03.2025. Challenging the same, the present writ petition.

5. I heard Mr.Prasanna Vinoth for the petitioner and Mr.P.T.Thiraviyam for the respondent.

6. Mr.P.T.Thiraviyam, pointing to Section 22-A (3) of the Registration Act,1908, pleads that Sub-Registrar cannot register a document when there are orders of attachment.

7. In response, Mr.Prasanna Vinoth has produced the e-court proceedings of the Additional District Judge, dated 17.04.2025, to point out that the attachment over the property, which is the subject matter of registration, has been raised.

8. I have carefully gone through the records.

9. Under Section 22-A (3) of the Registration Act,1908, a Sub-Registrar cannot register a document when there are orders of attachment passed by competent authorities under a State or Central legislation or by a



W.P.(MD) No.12006 of 2025

WEB COPY

court or tribunal. On the date of presentation of the lease deed by the petitioner, namely, 28.03.2025, orders of attachment were in force. Therefore, no exception can be taken to the orders passed by the Sub-Registrar.

10. This Court is able to take notice of the subsequent events, namely, the orders passed by the learned Additional District Judge in I.A.No. 83 of 2025, dated 17.04.2025. Now that the attachment has been raised, the petitioner can always pay appropriate process fee, bringing it to the notice of the Sub-Registrar that the order of attachment has been raised, and, thereafter, present the document for registration. I am sure, after the orders are intimated to the Sub-Registrar in a manner known to law, the Sub-Registrar will not depend on the original order of attachment and refuse registration.

11. Writ Petition is dismissed with the above observation. No costs.

25.04.2025

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

dixit



W.P.(MD) No.12006 of 2025

WEB COPY

To:

The Sub Registrar,
Annavaasal Sub Registrar Office,
Pudukkottai District.



WEB COPY



W.P.(MD) No.12006 of 2025

V.LAKSHMINARAYANAN, J.

dixit

W.P.(MD) No.12006 of 2025

25.04.2025