



W.P(MD)No.14644 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.05.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.14644 of 2025

Kavitha

... Petitioner

Vs.

1.The District Registrar (Administration),
Pudukottai District,
Pudukottai.

2.The Sub-Register,
Viralimalai Sub-Register Office,
Viralimalai,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records in pertaining to the impugned refusal check slip of the second respondent in RFL/Viralimali/54/2025, dated 12.05.2025 quash the same as illegal, consequently direct the second respondent to register the document presented by the petitioner in respect of survey number 395/2B1B for an extent of 0.24.50 hectors (60 Cents) situated at Viralur Village, Viralimalai Taluk, Pudukottai District and pass such further or other orders as this Court.



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For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.J.K.Jayaseelan
Government Advocate

ORDER

The present writ petition has been filed seeking to quash the order passed by the second respondent herein, wherein the request of the petitioner for registration of a sale deed has been rejected on the ground that, already a sale agreement has been registered in favour of one Muthupalani and the petitioner has not obtained any NOC from him.

2. As per Section 54 of the Transfer of Property Act, a contract for sale of immovable property does not by itself create any interest in or charge on such property.

3. In such circumstances, the registered sale agreement cannot be a legal impediment for registration of a sale deed. In case, if the said Muthupalani is aggrieved over the registration of the sale deed, it is always open to him to challenge the same in the manner known to law.



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4. In view of the above said deliberations, the order impugned in the writ petition is set aside and the respondents are directed to register the sale deed, if it is otherwise in order. This writ petition stands disposed of. There shall be no order as to costs.

22.05.2025

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

To

- 1.The District Registrar (Administration),
Pudukottai District,
Pudukottai.
- 2.The Sub-Register,
Viralimalai Sub-Register Office,
Viralimalai,
Pudukottai District.



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R.VIJAYAKUMAR, J.

BTR

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