



W.P(MD)No.14786 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.14786 of 2025

and

W.M.P.(MD).No.11063 of 2025

Muthukaruppayi

... Petitioner

VS.

1. The District Registrar,
Sivagangai,
Sivagangai District.

2. The Sub Registrar,
Office of Sub Registry,
Kalaiyarkovil,
Sivagangai District.

3. M.Jesuraj

... Respondents

[R-3 is impleaded vide order of this Court dated 07.07.2025]

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus call for the records pertaining to the proceedings of the 2nd respondent in Check slip No.55/2025 dated 20-05-2025 and set aside the same as illegal and consequently direct the 2nd Respondent to allow the petitioner to present a sale deed for its registration dated 20-05-2025 property in Survey No.304/14 of Perianarikkottai Village, Kollangudi Group, Kalaiyarkovil Taluk, Sivagangai District.



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For Petitioner : Mr.R.Balamuruganantham

For R1 and R2 : Mr.S.Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the impugned check slip issued by the 2nd respondent dated 20.05.2025 and consequently direct the 2nd Respondent to allow the petitioner to present a sale deed for its registration dated 20.05.2025.

2. The learned counsel appearing for the petitioner submitted that the 2nd respondent has refused to register the sale deed on the ground that there is a protest petition filed by the 3rd respondent.

3. Admittedly, the 3rd respondent has filed a suit in O.S.No. 140 of 2013 on the file of the District Munsif Court, Sivagangai and the same was dismissed against the 3rd respondent. Inspite of the dismissal of the suit the 3rd respondent has filed a protest petition objecting for registration. The 3rd respondent has not filed any appeal against the suit and hence the decree passed in the suit has attained finality.

4. This Court repeatedly held that based on third party objection, the official respondents cannot refuse registration. If it is allowed the official



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respondents would be acting as Civil Court and decide the title dispute.

Therefore, the impugned refusal check slip is liable to be quashed.

5. Accordingly, the impugned check slip issued by the 2nd respondent dated 20.05.2025 is hereby quashed. The 2nd respondent is directed to register the sale deed within a period of four weeks from the date of receipt of a copy of the order.

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

23.07.2025

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

KSA

To:

1. The District Registrar,
Sivagangai,
Sivagangai District.
2. The Sub Registrar,
Office of Sub Registry,
Kalaiyarkovil,
Sivagangai District.



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S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.14786 of 2025**

DATED : 23.07.2025