



W.A.(MD)No.1938 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A.(MD)No.1938 of 2025

Dhanabakkiyam

... Appellant

Vs.

1.The District Registrar,
Trichy District,
Trichy.

2.The Sub Registrar,
Manapparai,
Sub Registrars Office,
Manapparai,
Trichy District.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.925 of 2025 dated 10.01.2025 on the file of this Court.

For Appellant : Mr.K.S.Kathiravan

For Respondents : Mr.S.Shaji Bino,
Spl. Government Pleader.



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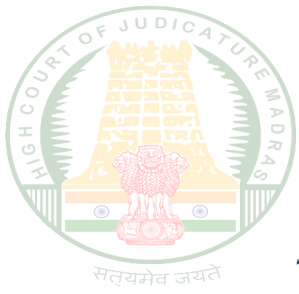
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JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The appellant intends to purchase the petition mentioned property. In fact, sale deed dated 19.11.2024 was executed in his favour by his vendor / Velusamy. The document was presented for registration before the Sub Registrar, Manapparai. The registering authority declined to entertain the document and issued refusal check slip dated 19.11.2024. Challenging the same, the appellant herein filed W.P.(MD)No.925 of 2025. The writ petition was dismissed by the learned Single Judge vide order dated 10.01.2025 in the following terms:-

“3.The property comprised in S.No.1390/1B measuring to an extent of 1.45 acres and in S.No.1390/1C, measuring to an undivided extent of 0.05 Acres, situated at Pannapatty West village, Manapparai Taluk, Trichirappalli District, belonged to one Malaiyandi Konar. After his demise, his wife, viz., Thangammal and his son, viz., Velusamy were derived title over the property. They had entered into a partition deed and divided the subject property and accordingly, they are entitled to have half share each in the



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subject property. After the demise of the said Thangammal, Velusamy is in possession and enjoyment of the property.

4.Now, the said Velusamy had executed a sale deed in respect of his share along with his mother's share. However, he did not register his mother's death and did not produce any legal heir certificate. Therefore, the second respondent rightly refused to register the sale deed for non production of legal heir certificate and death certificate.”

Aggrieved by the said dismissal order, this writ appeal has been filed.

3.The learned counsel for the appellant strongly relied on the decision of the Hon'ble Supreme Court reported in 2025 (2) CTC 777 (K.Gopi Vs. Sub-Registrar). The Hon'ble Supreme Court had held the proposition that the Sub Registrar do not have any adjudicatory power to decide the title of parties. But in the case on hand, the registering authority has not assumed any adjudicatory function at all. It is admitted even by the appellant that the property in question was jointly purchased by his vendor / Velusamy and his mother / Thangammal in the year 1967. It is a registered document (Document No.378/1967). Velusamy has not furnished the death certificate of his mother. He has also not produced



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the legal heir certificate. In these circumstances, the registering authority rightly declined to register the document. The registering authority has only sought to prima facie trace the title of the vender based on the vendor's own case and the admitted position. We are of the view that interference with such an order is not called for and the learned Single Judge rightly dismissed the writ petition.

4.This writ appeal stands dismissed. No costs.

(G.R.S. J.,) & (K.R.S. J.,)
21.07.2025

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

1.The District Registrar,
Trichy District,
Trichy.

2.The Sub Registrar,
Manapparai,
Sub Registrars Office,
Manapparai,
Trichy District.

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