



W.P(MD)No.16262 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.16262 of 2025

Athappan

... Petitioner

Vs

1. The Sub Registrar,
Madhagupatti Sub Registration Office,
Sivagangai District.

2. V.R.C.Meenakshi

... Respondents

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 of the impugned Refusal Check Slip in RFL/Mathagupatti/Book 2/1 dated 13.05.2025 on the file of the first respondent and quash the same and further directing the first respondent to receive and register the sale deed dated 20.01.2025 executed by the petitioner.

For Petitioner : Mr. G.Prabhu Rajadurai

For R-1 : Mr.D.Sasi Kumar
Additional Government Pleader

For R-2 : Mr.C.Sundaravadivel



W.P(MD)No.16262 of 2025

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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order dated 13.05.2025 and consequently to direct the first respondent to receive and register the sale deed dated 20.01.2025 executed by the petitioner.

2. Through the impugned order, the first respondent by citing the suit pending in O.S.No.70 of 2025 on the file of the Sub Court, Sivagangai has refused to register the sale deed.

3. The learned Counsel appearing for the second respondent submitted that the parent document of the present sale deed itself is questioned in the said suit.

4. Since the said suit is pending, the first respondent cannot refuse to register the sale deed. Pending suit, the petitioner is taking risk to register the sale deed. Further, the Sub Registrar cannot refuse to register the sale deed citing pending suit without any injunction order. Therefore, the impugned order is quashed. The first respondent is directed to register the sale deed within a period of four (4) weeks from the date of receipt of a copy of this order. However, while



W.P(MD)No.16262 of 2025

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registering the sale deed. However, a remark may be added that a suit is pending with respect to the subject property. Since the civil suit is pending between the parties, the Trial Court is directed to consider the rival claims uninfluenced by the documents registered pursuant to this order. The second respondent is at liberty to obtain an interim injunction in the pending suit.

5. With the above said directions, this Writ Petition is allowed. There shall be no order as to costs.

14.07.2025

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

jbr

To:

The Sub Registrar,
Madhagupatti Sub Registration Office,
Sivagangai District.



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W.P(MD)No.16262 of 2025

S.SRIMATHY, J.

jbr

ORDER MADE IN
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