

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17055 of 2025

and

W.M.P(MD)No.14673 of 2024

D.Ranjith Kumar

... Petitioner

Vs

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakkam,
Chennai - 600 028.

2. The District Registrar,
Theni District.

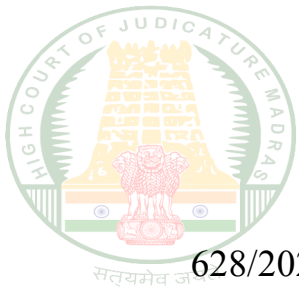
3. The Sub-Registrar,
O/o. the Sub-Registrar,
Theni.

4. P.Vasantha

5. R.Subathra

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned communication in Na.Ka.No.



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628/2024 dated 27.06.2024 passed by the Sub-Registrar, Theni, the 3rd respondent herein and quash the same and consequently direct the 2nd respondent to conduct fresh enquiry and pass appropriate orders taking note of the pendency of the suit in O.S.No.140 of 2015 on the file of the District Munsif Court, Theni.

For Petitioner : Mr.Sivathilakar

For Respondents : Mr.S.Saji Bino
Special Government Pleader
for R1 to R3

: Mr.C.Jeganathan
for R4 & R5

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned communication in Na.Ka.No.628/2024 dated 27.06.2024 passed by the Sub-Registrar, Theni, and consequently direct the 2nd respondent to conduct fresh enquiry and pass appropriate orders taking note of the pendency of the suit in O.S.No. 140 of 2015 on the file of the District Munsif Court, Theni.



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2. Admittedly, there is a suit pending in O.S.No.140 of 2015 on the file of the District Munsif Court, Theni. Pending suit, the fourth respondent executed a settlement deed in favour of the fifth respondent. Subsequently, the fourth respondent and fifth respondent jointly had executed a sale deed. Aggrieved by the sale, the petitioner has submitted a complaint before the Sub Registrar to consider his objection. The Sub Registrar has directed the petitioner to approach the competent Civil Court. Aggrieved over the said communication, the present writ petition has been filed.

3. It is settled proposition of law that pendency of suit cannot be cited as refusal of the registration. Therefore, the petitioner has registered the sale deed and rightly rejected the complaint of the petitioner. Further when the suit is pending the petitioner is having a remedy to file an injunction application restraining the respondents from further encumbering the property. But the petitioner has not taken such steps. Therefore this Court is not inclined to entertain this writ petition. The impugned order is absolutely correct and in accordance with law.



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4. Accordingly, this Writ Petition stands dismissed. However, liberty is granted to the petitioner to approach the civil Court in which the suit is pending, if so advised. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

25.08.2025

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

PJL

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinampakkam,
Chennai - 600 028.
2. The District Registrar,
Theni District.
3. The Sub-Registrar,
O/o. the Sub-Registrar,
Theni.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.17055 of 2024**

DATED : 25.08.2025