



W.P(MD)No.17944 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17944 of 2025

and

WMP(MD)No.13737 of 2025

Idhayam - G. Fabulous Structures

... Petitioner

Vs.

The Sub Registrar
Sub Registrar Office Kallikudi,
Madurai South,
Madurai District

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a *Writ of Certiorarified Mandamus*, calling for the records relating to the impugned notice issued by the 1st respondent in Na.Ka.No. 102/2025 dated 16.06.2025 in (Pending Document P.23/2025) and to quash the same as illegal and consequently to direct the 1st respondent to complete the registration process and to issue the registration certificate for pending document P.23/2025 (TP No. 221109938/2025) dated 06.06.2025 related to the property situated in S.No. 3/4, Plot No. 128, in Nallamanaickanpatti Village, Kallikudi Taluk, Madurai District.

For Petitioner : Mr.G.Mariappan

For Respondent : Mr.S.Saji Bino
Special Government Pleader



W.P(MD)No.17944 of 2025

ORDER

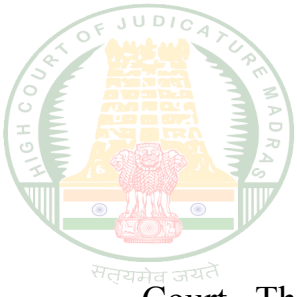
WEB COPY

The present Writ Petition has been filed for the issuance of a *Writ of Certiorarified Mandamus*, to quash the impugned notice dated 16.6.2025 and consequently to direct the 1st respondent to complete the registration process and to issue the registration certificate.

2. Through the impugned order, the respondent has stated that, since there is a rival claim from the other partners, the document is pending. The disputed title to the property cannot be addressed by the respondent. The respondent has no power to decide this issue. The matter was already decided by this Court's order dated 24.06.2025 in W.P (MD) No. 10319 of 2025, wherein it was held as follows:

.....

“3. Therefore, the said objections of the 2nd respondent cannot be considered. Even though there is an objection, the 1st respondent cannot decline to register the sale deed. If at all there is any objection, the 2nd respondent ought to have approached the appropriate Civil Court to redress his grievance. As on dated, there is no such suit pending and there is no decree in favour of the 2nd respondent. Therefore, the impugned order is quashed. The 1st respondent is directed to register the petitioner's sale deed within a period of four weeks from the date of receipt of a copy of this order. ”



W.P(MD)No.17944 of 2025

3. If the rival claimant is aggrieved, they ought to approach the Civil Court. Therefore, the respondent cannot entertain the objection and keep the document pending and or refuse to register it.

4. Therefore, the impugned notice dated 16.6.2025 is hereby quashed. The respondent is directed to register the same, within a period of four weeks from the date of receipt of a copy of the order.

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

03.07.2025

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

Ksa

To:

The Sub Registrar
Sub Registrar Office Kallikudi,
Madurai South,
Madurai District



WEB COPY



W.P(MD)No.17944 of 2025

S.SRIMATHY, J.

Ksa

**ORDER MADE IN
W.P(MD)No.17944 of 2025**

DATED : 03.07.2025