



W.P(MD)No.18250 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.18250 of 2025

G.Varadharajan

... Petitioner(s)

Vs.

1.The District Registrar (South),
Office of the Inspector General of Registration,
171, Palace Road,
Madurai-01.

2.The Sub Registrar,
Office of the Peraiyur Sub Registrar Buildings,
Subramanya Swami Kovil Street,
Peraiyur, M.Sengulam,
Madurai South,
Madurai.

... Respondent(s)

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 pertaining to the refusal order dated 23.06.2025 passed by the second respondent and to quash the same and consequently, direct the second respondent to allow the petitioner to register the cancellation Document of M.Sengulam Village, Madurai District, submitted by the above said petitioner dated 20.06.2025.



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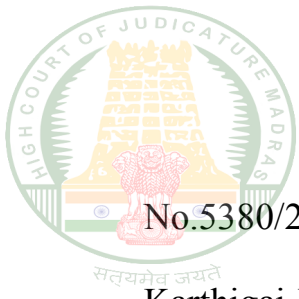
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For Petitioner : Mr.R.Babu Jaganath
For Respondent : Mr.S.Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the refusal order dated 23.06.2025 passed by the second respondent and quash the same and consequently, direct the second respondent to allow the petitioner to register the cancellation Document of M.Sengulam Village, Madurai District, submitted by the above said petitioner dated 20.06.2025.

2.The brief facts as stated in the writ petition are that the petitioner namely, Varadharajan, has certain lands at M.Sengulam Village, Madurai District. The petitioner has executed sale deed in favour of one Rajagopal in Doc.No. 5380/2021, dated 22.12.2021. Thereafter, the said Rajagopal had executed gift settlement deed in favour of his sons namely, Srinivasan and Muthukrishnan, in Doc.No.969/2022, dated 23.03.2022 and the said Rajagopal's sons were in peaceful possession and enjoyment of the said property. While so, the petitioner's relative, who is also named Varatharajan has filed his objection to the document



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No.5380/2021, dated 22.12.2021 and the said Varatharajan's son namely, Karthigai Rajan has preferred a complaint before the Inspector of Police, District Crime Branch-II, Madurai District and the same was enquired in C.No. 263/G5/INS/DCB-II/MDU/2024, dated 12.12.2024. During the course of enquiry, the parties had entered into compromise wherein, the petitioner has agreed to cancel the sale agreement executed in favour of Rajagopal and the said Rajagopal has also agreed to cancel the gift settlement deed executed in favour of his sons. When the petitioner presented the above said sale agreement before the second respondent for registration, the same was refused on the ground that there was an impersonation and further, in respect of the property, a case in C.No. 263/G5/INS/DCB-II/MDU/2024, dated 12.12.2024, is pending against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner namely, Varatharajan and other Varatharajan are relatives. Therefore, the concerned Police directed them to compromise the issue. After compromise, when the petitioner is intended to register the cancellation of a sale deed, the respondent has refused to register the same.

4.This Court is of the opinion that the police cannot have any objection for the civil transaction between the parties. Based on the police complaint in C.No.



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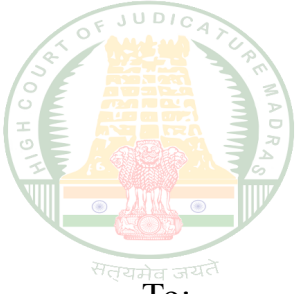
263/G5/INS/DCB-II/MDU/2024, dated 12.12.2024, the respondent cannot act upon it. As on date, there is no court order in the criminal proceedings. Further, based on the compromise between the parties, the petitioner has executed the cancellation deed and the same is being presented for registration. Therefore, the impugned order is liable to be set aside.

5. Accordingly, this writ petition stands allowed by quashing the impugned refusal order dated 23.06.2025 passed by the second respondent. The second respondent is directed to register the cancellation Document of M.Sengulam Village, Madurai District, submitted by the petitioner dated 20.06.2025. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

04.07.2025

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

vsg



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.18250 of 2025**

DATED :04.07.2025