



W.P(MD)No.18294 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.18294 of 2025
and
W.M.P.(MD).No.14028 of 2025

R.Vignesh

... Petitioner

Vs

1.The District Registrar (Administration),
Department of Registration,
Thanjavur District.

2.The Sub-Registrar,
O/o.The Sub Registrar,
Kuthalam Sub Registrar's Office,
Thanjavur Zone,
Maiyaladuthurai District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for records in relating to the impugned Refusal Number:RFL/Kuthalam/41/2025, dated 30.06.2025 passed by the second respondent and quash the same and consequently direct the second respondent herein to register the sale deed dated 30.06.2025 within a stipulated period fixed by this Court.

For Petitioners : Mr.R.Mohamed Riyaz

For Respondents : Mr.D.Sasikumar
Additional Government Pleader



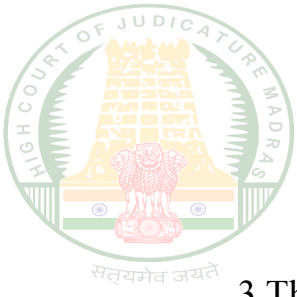
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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for records in relating to the impugned Refusal Number:RFL/Kuthalam/41/2025, dated 30.06.2025 passed by the second respondent and quash the same and consequently to direct the second respondent herein to register the sale deed dated 30.06.2025 within a stipulated period fixed by this Court.

2.The brief facts, as stated in the writ petition are that the petitioner has purchased the property from one B.Rajesh and S.Ramesh. Admittedly, there was a civil dispute pending between the petitioner's vendors and some other individual, and a suit was filed in O.S.No.14 of 1988 by two plaintiffs, namely, Radha and Chandra, both sisters. The said suit was dismissed by the learned Subordinate Judge, Kumbakonam, vide the judgment and decree dated 21.07.1995. In the suit, the respondents 4 and 6 are the petitioner's vendors. Aggrieved over the dismissal of the suit, the petitioner's vendors have preferred an appeal in A.S.No.1070 of 1995 and the Court vide the judgment and decree dated 02.11.2018, had allowed the appeal in favour of the petitioner's vendors. Thereafter, one of the petitioner's vendor has sold the property to the petitioner. Now, he is seeking to register the said sale deed.



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3.Through impugned order, the respondent has cited that against the Judgment and Decree in A.S.No.1070 of 1995, an appeal is pending before the Hon'ble Supreme Court in Diary No.36798 of 2022.

4.This Court is of the considered opinion that the pending litigation cannot be cited unless there is stay. Admittedly, there is no stay. Therefore, the impugned order is erroneous and non application of mind. Hence, the impugned order is liable to be quashed.

5.Accordingly, this writ petition is allowed. The impugned order passed by the second respondent in Refusal Number:RFL/Kuthalam/41/2025, dated 30.06.2025, is hereby quashed. The second respondent is directed to register the sale deed dated 30.06.2025 and 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. Consequently, connected miscellaneous petition is closed.

04.07.2025

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

Vsg



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To

- 1.The District Registrar (Administration),
Department of Registration,
Thanjavur District.
- 2.The Sub-Registrar,
O/o.The Sub Registrar,
Kuthalam Sub Registrar's Office,
Thanjavur Zone,
Maiyaladuthurai District.



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S.SRIMATHY, J.

Vsg

**ORDER MADE IN
W.P(MD)No.18294 of 2025**

DATED : 04.07.2025