



W.P(MD)No.24373 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.24373 of 2024

Palaniyappan

... Petitioner

Vs.

1. The Sub-Registrar,
Velliyanai SRO,
Karur to Dindigul Main Road,
Velliyanai Village,
Karur District

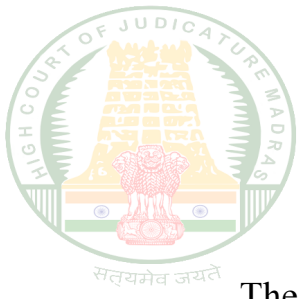
2. P.Pannierselvam

...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 pertaining to the refusal check slip in RFL/Velliyanai/11/2024 dated 11.03.2024 passed by the 1st respondent and to quash the same as arbitrary and illegal and to consequently direct the 1st respondent herein to register the sale deed dated 11.03.2024 executed by the 2nd respondent in favour of the petitioner

For Petitioner : Mr.K. Kaviarasan

For R1 : Mr.S. Saji Bino
Special Government Pleader



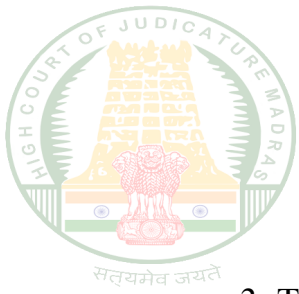
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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the records pertaining to the refusal check slip in RFL/Velliyanai/11/2024 dated 11.03.2024 passed by the 1st respondent and illegal and to consequently direct the 1st respondent herein to register the sale deed dated 11.03.2024 executed by the 2nd respondent in favour of the petitioner

2. The property in S.Nos.140/2, 140/7, 147/9, 147/4, 147/8, 148/2, 148/6, 148/3, 151/2 and 151/3 situated at Emoor, Velliyanai Vilalge, Karur District totally measuring to an extent of 2 Acre 29 cents belongs to one Paneerselvam the second respondent herein by way of sale deed dated 18.05.2020 in Doc.No.1207 of 2020. The second respondent has intended to sell the property to the petitioner for a sale consideration of Rs.12,69,000/- and in turn the second respondent has handed over the original sale deed dated 18.05.2020 to the petitioner. The second respondent has executed sale deed dated 11.03.2024 and the same was presented for registration. However, the same was refused to register by stating reason that there are two attachments in E.P.No.43/2020 in O.S.No.32/2018 and in I.A.No.2 of 2023 in O.S.No.271 of 2023 on the file of the Principal District Court, Karur and also there are objections submitted by Kumar S./o.Bommuraj, and Jeyabalan S/o.Kandasamy and the second respondent herein.



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3. The contention of the petitioner is that the second respondent objection is misconstrued by the 1st respondent. The second respondent has objected the claim of the said Kumar and Jeyabalan who had submitted their objections. Further submitted that one Jagadeesan and Nallusami had filed a suit against the said second respondent in O.S.No.62 of 2024 on the file of the Principal District Court, Karur for the relief of Specific Performance and the same was decreed on 03.06.2024, directing the second respondent to execute a sale deed with regard to the subject property. Further contention of the petitioner is that the said decree came to be passed based on the admission of second respondent, the said admission was obtained by threat and compulsion. In fact, the sale deed dated 16.07.2024 was presented for registration by the said Jagadeesan and Nallusamy and the same refused to be registered by the 1st respondent. After such refusal, the Counsel for the plaintiff in the above suit who was a Government Pleader, has sent a contempt notice on behalf of the plaintiffs to the first respondent to register the sale deed dated 16.07.2024. Further contention of the petitioner is that when the petitioner's document was executed on 11.03.2024, the subsequent judgment and decree dated 03.06.2024, cannot make the deed invalid automatically. It has to be adjudicated by submitting evidence. Therefore, the same ought to be registered.



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4. The learned Government Pleader submits that when there is a decree even though it is subsequently passed, the same cannot be registered and the decree is binding the first respondent.

5. After considering the rival submissions made by both side counsels, this Court is of the considered opinion that once a document is submitted for registration, the first respondent cannot scrutinize and determine the title of the parties. If the parties are aggrieved by such registration, they ought to approach the competent Civil Court. Even if there is any attachment, the present document may be register as a double entry. Therefore, the 1st respondent is directed to register the document, with a remark that it is a double entry along with the attachment orders passed by the Civil Court. The parties are at liberty to approach the competent Civil Court to determine their title. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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6. Accordingly, the order impugned in the writ petition dated 11.03.2024 is hereby quashed, this Writ Petition is allowed. There shall be no order as to costs.

08.08.2025

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

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To

1. The Sub-Registrar,
Velliyanai SRO,
Karur to Dindigul Main Road,
Velliyanai Village,
Karur District



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.24373 of 2024**

DATED : 08.08.2025