



W.P(MD)No.25550 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25550 of 2025

T.Shanmugaraj

... Petitioner

Vs.

The Sub Registrar
Sub Registrar Office,
Rajapalayam,
Virudhunagar District.

... Respondent

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 pertaining to the impugned Refusal Check Slip No.RFL/Rajapalayam/14/2025 dated 06.08.2025 on the file of the respondent and quash the same and consequently to direct the respondent to register the said sale deed of the petitioner dated 06.08.2025.

For Petitioner : Mr.S.Parthiban

For Respondent : Mr.D.Gandhiraj,
Spl. Government Pleader.



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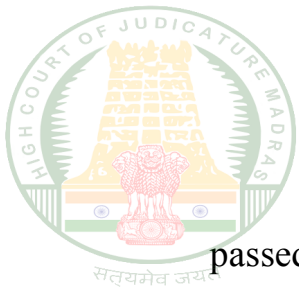
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ORDER

Heard both sides.

2.The petitioner wants to purchase the petition mentioned property from one R.Selvaraj. The sale deed was presented for registration before the respondent. Registration was refused and the impugned refusal check slip was issued. Challenging the same, this writ petition has been filed.

3.It is seen that the property in question was settled in favour of the writ petitioner's vendor / Selvaraj vide settlement deed dated 10.10.2018. It was registered as Document No.3756/1018. Selvaraj's father Ramasamy had purchased the said property vide sale deed dated 27.03.2002 (Document No.1092/2022) from one Balakrishnan and Veluthai. The sister of Balakrishnan, namely, one Mariammal lodged complaint before the District Registrar under Section 77A of the Registration Act. The matter went upto to the Deputy Inspector General of Registration, Ramanathapuram Region who vide proceedings dated 31.05.2023 upheld the claim of Mariammal. Challenging the said order



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passed under Section 77A of the Act, Selvaraj filed W.P.(MD)No.16455 of 2023. The order impugned in the said writ petition was set aside and the writ petition was allowed on 02.09.2024. However, the learned Judge made an observation that the parties shall work out their remedy before the competent civil Court. Citing the said observation, the registering authority declined to register the document and called upon the writ petitioner to obtain an order from the jurisdictional civil Court.

4.The question that calls for consideration is whether this stand of the registering authority is justified.

5.Admittedly, the title document stands in the name of the writ petitioner's vendor. The patta is also in his name. It is true that validity of this document as well as the parent deed has been questioned by one Mariammal. The said Mariammal actually challenges the transaction of the year 2002. Thus, it is only Mariammal who has to go before the jurisdictional civil Court and not the writ petitioner's vendor. The observation given by the learned Judge has been misconstrued by the registering authority.



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6. In this view of the matter, the order impugned in the writ petition is quashed. The parties are at liberty to re-present the document. It shall be registered and released subject to fulfilment of other usual formalities. The writ petition stands allowed. No costs.

18.09.2025

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

The Sub Registrar
Sub Registrar Office,
Rajapalayam,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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