



W.P(MD)No.25556 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.25556 of 2025

Thimmakkal

... Petitioner

Vs.

1.The Sub Registrar,
Sub Registrar Office,
Ettayapuram,
Thoothukudi.

2.The State represented by
The Inspector of Police,
Economic Offences Wing (EOW),
Nagercoil,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the first respondent made in RFL/Ettayapuram/65/2025, dated 26.08.2025 and quash the same and consequently direct the first respondent to register the Sale Deed and other documents executed by the Petitioner in respect of properties



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comprised in S.Nos.115/4B, 115/5B, 138/5, 15/5, 15/6 and 67/13B, all are situated at Poodupatti Village, Ettaypuram Taluk, Thoothukudi District, within the limits of first respondent Sub Registrar Office.

For Petitioner : Mr.R.Murali

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1

Mr.A.Albert James
Govt. Advocate (Crl. Side) for R2

ORDER

Heard both sides.

2.The petitioner wants to sell the property. He executed a sale deed dated 26.08.2025 in favour of one Saravanan. The document was presented for registration. The registering authority citing the communication received from the second respondent declined to register the document. Challenging the refusal check slip, this writ petition has been filed.



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3.The issue raised in this writ petition is no longer *res integra*. It is seen that the property originally belonged to Sunstar Agro Farms (India) Limited. The said establishment committed default and cheated 822 depositors and more than Rs.7 crores was involved. Crime No.1 of 2019 was registered by the second respondent. The said company had sold the property in favour of the writ petitioner vide sale deed dated 03.05.2019 (Document No.869 of 2019).

4.My attention is drawn to the decision reported in **2020 SCC OnLine Mad 20112 (R.Madhupriya & another Vs Inspector General of Registration & another)**. It was held therein that refusal of registration of documents merely based on letters issued by the Police unless a proper order of attachment is obtained from the competent authority under the relevant enactment is impermissible. It was held therein that the jurisdictional Police cannot prevent the executant of a document from submitting a document for registration.

5.As on date, the petition mentioned property has not been attached under any of the provisions of law. In this view of the matter,



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the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document. It shall be registered and released subject to the fulfilment of the other usual formalities.

6.This Writ Petition is allowed accordingly. No costs.

18.09.2025

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

1.The Sub Registrar,
Sub Registrar Office,
Ettayapuram,
Thoothukudi.

2.The Inspector of Police,
Economic Offences Wing (EOW),
Nagercoil,
Kanyakumari District.



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G.R.SWAMINATHAN, J.

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