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W.P.(MD)NO.26281 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26281 of 2025

A.Palpandi

... Petitioner

Vs.

The Sub Registrar,
Andipatti, Theni District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the refused check slip in RFL/Andipatti/68/2025 dated 04.09.2025 on the file of the respondent and quash the same consequently, direct the respondent to accept the sale deed dated 28.08.2025 presented by the petitioner and register the same in accordance with law.

For Petitioner : Mr.S.Parthiban

For Respondent : Mr.M.Senthil Ayyanar,
Government Advocate.

* * *



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ORDER

Heard both sides.

2. The petitioner wants to sell the property. He executed a sale deed dated 28.08.2025 in favour of Mrs.Niroja. It was presented for registration. The registering authority declined to accept the document for registration on the ground that the encumbrance register reflects the sale agreement earlier entered into by the petitioner with one Ganesan. Challenging the impugned refusal check slip, this writ petition has been filed.

3. The issue that arises for consideration is no longer *res integra*. The Hon'ble Division Bench in the decision reported in **2020 (6) CTC 697 (N.Ramayee Vs. The Sub Registrar)** had held therein that merely because an agreement for sale is registered, it cannot be said that without obtaining decree of declaration, such agreement is void, subsequent transfer is prohibited and cannot be registered. The Hon'ble Division Bench had also held that the registering authority has no right to refuse to register the subsequent document



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on the basis of the agreement of sale was already registered in respect of the same property. The aforesaid decision squarely applies to the case on hand. The impugned refusal check slip is quashed. This writ petition stands allowed. No costs.

23.09.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

The Sub Registrar,
Andipatti, Theni District.



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G.R.SWAMINATHAN,J.

PMU

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