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W.P.(MD)NO.28636 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28636 of 2025

1. Kurunthappan

2. Ajay Abdul Rahman

... Petitioners

Vs.

The Joint 2 Sub Registrar,
Karaikudi Sub Registration Office,
Karaikudi,
Sivagangai District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal check slip No.20/2025 dated 23.09.2025 issued by the respondent Joint 2-Sub Registrar, Karaikudi and quash the same as illegal and consequently, direct the respondent to register the sale agreement dated 16.09.2025 presented by the petitioners relating to S.No.352/9A (Old S.No.352/9), Managiri Sukkanendal Village, Karaikudi Taluk, Sivagangai District without reference to the impugned refusal.

For Petitioners : Mr.N.Dilip Kumar,
for Mr.S.Balamurugan.

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

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ORDER

Sale agreement dated 16.09.2025 was executed by the second petitioner herein in favour of the first petitioner. It was presented for registration. Citing doubts regarding the title of the executant, registration was refused. Challenging the same, this writ petition has been filed.

2. The stand of the registering authority is that the father of the second petitioner Thiru.Mohammed Abdul Rahman had sold the property in question in favour of Santhabai, Meenal, Rex and Valarmathi vide document No.406 of 1995. The purchasers had subsequently sold 100 square feet each in favour of 71 individuals. In these circumstances, doubt has been raised as to how Mohammed Abdul Rahman can once again convey title in favour of the second petitioner herein.

3. The learned Special Government Pleader reiterated the stand set out in the impugned refusal check slip.



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4. I considered the rival contentions.

5. It is seen that according to the petitioners, document No.406/1995 was a fraudulent document. Therefore, the second petitioner's father filed O.S.No.3 of 2023 on the file of the District Munsif Court, Karaikudi. When the matter was referred to Lok Adalat in Lod Adalat Case No.1 of 2023, settlement was arrived at. An award was passed on 11.02.2023. The defendant namely, Valarmathi gave up her claim over the petition-mentioned property. The Lok Adalat award was duly registered.

6. Subsequently, the Tahsildar, Karaikudi vide memo dated 29.10.2024 restored the patta in favour of the second petitioner's father and the said patta has been enclosed in the typed set of papers. Thereafter, the second petitioner's father executed settlement deed dated 10.12.2024 in favour of the second petitioner which was registered as document No.11026/2024 on the file of the respondent. Based on the same, the second petitioner has entered into a sale agreement with the first petitioner. When a registered settlement deed is in favour of the second petitioner and the second



petitioner on the strength of the same has once entered into a sale agreement, the stand of the registering authority is unsustainable in law. The revenue record supports the case of the writ petitioners herein.

7. In this view of the matter, the impugned refusal check slip is quashed. The authorities are at liberty to re-present the document before the registering authority and the same shall be registered and released subject to fulfilment of the other usual formalities. This writ petition stands allowed. No costs.

11.11.2025

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

PMU

To:

The Joint 2 Sub Registrar,
Karaikudi Sub Registration Office,
Karaikudi,
Sivagangai District.



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G.R.SWAMINATHAN,J.

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