



W.P(MD)No.30628 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30628 of 2025

and

W.M.P.(MD)No.23776 of 2025

M.Palanivel

... Petitioner

Vs.

The Sub Registrar,
Paramakudi Taluk,
Ramanathapuram District.

... Respondent

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 impugned Refusal Check Slip in RFL/Paramakudi/67/2025 dated 17.09.2025 on the file of the respondent and quash the same and further directing the respondent to receive and register the sale deed dated 17.09.2025.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader.



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ORDER

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Heard both sides.

2.Sale deed dated 17.09.2025 was executed in favour of the writ petitioner by one Ramadas acting as Power Agent of one Sadacharam. The said Sadacharam had filed a partition suit and obtained preliminary decree for his half share in the suit property. It is this undivided half share that is being conveyed. The registering authority declined to register the document on the ground that only after passing of the final order, the document can be registered.

3.This objection is clearly unsustainable. When admittedly, the petitioner's vendor has preliminary decree in his favour and he is conveying only an undivided share in the property, no exception can be taken. Once the final decree is passed, the petitioner's vendor's property would be divided by metes and bounds. The question of conveying undivided share would not arise at all at that stage. Since the sale deed executed by the writ petitioner's vendor is in consonance with the



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preliminary decree obtained by him, the impugned refusal check slip 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 is allowed. No costs. Consequently, connected miscellaneous petition is closed.

24.11.2025

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

The Sub Registrar,
Paramakudi Taluk,
Ramanathapuram District.



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G.R.SWAMINATHAN, J.

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