



W.P(MD)No.32069 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.32069 of 2025

and

W.M.P.(MD)No.25237 of 2025

Asan Mohideen Sait @ S.Moideen Vaiscirahath

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Tenkasi District,
Tenkasi.

2.The Sub Registrar,
Registration Department,
Shenkottai Sub Registrar Office,
Tenkasi 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 pertaining to the impugned Refusal Check slip under RFL/Senkottai/46/2025, dated 14.10.2025 issued by the second respondent and quash the same and to direct the second respondent to register the Gift Settlement Deed dated 14.10.2025 in respect of the lands and house building in Door No.147-1/47E, Ward N, Block 1, Town Survey No.8/13C, being the lands to an extent of about 5.14 Cents



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(2238.985 Sq Ft), Senkottai Town, Senkottai Taluk, and Tenkasi District,
within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.Aravinthan,
For M/s.Aran Legal Consultancy.

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

ORDER

Heard both sides.

2.Settlement deed dated 14.10.2025 was executed by the writ petitioner in favour of his wife / Thahir Beevi. The document was presented for registration. The registering authority declined to register the document on the ground that in respect of the very same property, a sale agreement was already entered into and registered on 05.02.2003. Challenging the stand of the registering authority, this writ petition has been filed.

3.The case on hand is squarely covered by the decision of the Hon'ble Division Bench reported in ***2020 (6) CTC 697 (N.Ramayee Vs.***



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Sub-Registrar, Registration Department, Valapady - 636 115, Salem

District). It was held therein that merely because agreement for sale is registered without obtaining decree of declaration that such agreement is void, subsequent transfer is prohibited and cannot be registered. The Hon'ble Division Bench held that the Registrar has no right to refuse to register the subsequent document on the basis that agreement of sale was already registered in respect of same property.

4. Respectfully applying the aforesaid ratio, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document. It shall be registered and released subject to fulfilment of other usual formalities. This writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

12.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Tenkasi.
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G.R.SWAMINATHAN, J.

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