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W.P.(MD)NO.32906 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.32906 of 2025 AND
W.M.P.(MD)No.25943 of 2025

S.Sundaramoorthy

... Petitioner

Vs.

1. The Sub Registrar,
Pullambadi Sub Registrar Office,
Pullambadi,
Lalgudi Taluk,
Trichy District.

2. S.Sagayamary

... Respondents

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 first respondent proceedings made in Na.Ka.No.469/2025 dated 22.09.2025 quash the same and further direct him to register the settlement deed dated 26.07.2023 within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sundar

For R-1 : Mr.S.Shanmugavel,
Additional Government Pleader.

* * *

**ORDER**

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Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the first respondent.

2. Issuance of notice to the second respondent is dispensed with.

3. Settlement deed dated 26.07.2023 was presented for registration before the first respondent. The first respondent declined to register the document on the ground that the objection petition has been received.

4. I make it clear that on this ground, registration of the settlement deed could not have been refused. It was for the objector to obtain restraint order before the jurisdictional civil Court. If any such restraint order is not obtained by the objector, the registration has to necessarily go on. Of course, it is subject to other usual formalities. The impugned communication is patently unsustainable.



Vide order dated 03.07.2024 made in W.P.No.17289 of 2024, a

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learned Judge of this court had held as follows:-

“ 4. This Court, in ***Subramani Vs. The Sub Registrar, Rasipuram and Another (W.P.No. 11056 of 2024 decided on 26.04.2024)***, has held as follows :

“31. Now, this Court has to point out settled position of law in various aspects. With regard to the refusal slips issued on the ground of

a.

b. refusal on the ground of title dispute, in a judgment of this Court in the case of Abdullasa v Inspector General of Registration reported in 2021 2 CWC 451, this Court held that the Registrar cannot refuse to register the document on the basis of objections raised by a rival claimant, who has a different source of title. Similarly, the Hon'ble Apex Court in the case of Satya Pal Anand v. State of M.P., reported in (2016) 10 SCC 767 has held that an enquiry into the title of the executant is beyond the powers of the Sub-Registrar. Therefore, in view of the law declared in this regard, merely on the ground of protest petitions and objections raised by some third party, the document cannot be refused to be registered.



C.”

5. Following the above judgment of this Court, mere filing of a protest petition, the document cannot be refused to be registered by the respondent. Hence, the impugned order passed by the respondent is set aside and the respondent is directed to register the Sale Deed of the petitioner, within a week's time from the date of receipt of a copy of this order.”

5. In this view of the matter, the impugned communication is quashed. The writ petitioner is at liberty to present the deed of settlement afresh. It is for the registering officer to take a call in the matter. In any event, the objection now set out in the impugned communication will not be raised. This writ petition stands allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

18.11.2025

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

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4/6



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5

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To:

The Sub Registrar,
Pullambadi Sub Registrar Office,
Pullambadi,
Lalgudi Taluk,
Trichy District.



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6

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G.R.SWAMINATHAN,J.

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