



W.P(MD)No.33547 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.33547 of 2025

Irulappan

... Petitioner

Vs.

The sub Registrar,
Rajapalayam,
Virudhunagar District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining in refusal check slip in Refusal Number RFL/Rajapalayam/13/2025 dated 22.07.2025 on the file of the Respondent and quash the same as illegal, unjust and without jurisdiction and consequently direct the respondent to register the petitioner's sale deed dated 21.07.2025 and to release the same.

For Petitioner : Mr.S.A.Ajmalkhan

For Respondent : Mr.S.Shanmugavel,
Addl. Government Pleader.

ORDER

Heard both sides.

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2.Sale deed dated 21.07.2025 was executed by one Irulappan / writ petitioner in favour of one Ravi. It was presented for registration. The registering authority declined to register the document by citing the attachment order made in O.S.No.636 of 1990 in I.A.No.1777 of 1990 on the file Principal District Munsif Court, Srivilliputhur.

3.As per Section 22-A of the Registration Act, when there is a Court attachment, registration has to be refused. This is the duty cast on the registering officer. Therefore, the impugned order cannot be faulted. But the facts on hand will have to be looked at. The attachment order was passed way back in the year 1990. It appears to be a money suit. We are now in 2025. It is absolutely impossible that such an attachment would survive after all these years. Even if a decree has been obtained, it should be have been executed within 12 years. Secondly, it is seen that the suit was filed by one Sivaguru Poosari against Kadarkarai. Kadarkarai had sold the property in the year 1994 in favour of the Sankaranarayanan vide Document No.2885/1994. Sankaranayaranan had subsequently sold the property in favour of one Uma and others on 13.12.1996 vide Document No.3231/1996. Uma and others in turn sold



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the property in favour of the petitioner on 03.08.2004 vide Document No.2900/2004. Thus, the writ petitioner himself is a purchaser of the property. If the attachment had been holding good, sale deed executed in favour of the writ petitioner would not have been registered. Therefore, one can safely assume that the attachment no longer survives. Since we have to respect the statutory mandate, I declare that the petition mentioned attachment made in respect of the subject property stands raised. The impugned refusal check slip is quashed. The parties are 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.

24.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

The sub Registrar,
Rajapalayam,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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