



W.P.(MD)No.35651 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2025

CORAM

THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.35651 of 2025

Anbalagan

...Petitioner

vs.

The Sub Registrar,
Sattur Sub Registrar Office,
Sattur,
Virudhunagar District.

...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records pursuant to the refusal check slip issued by the respondent vide refusal number RFL/Sattur/55-2025, on 08.12.2025 and quash the same and consequently direct the respondent herein to register the sale deed dated presented by the petitioner vide TP.No.TP/240946398-2025 dated 28.11.2025.

For Petitioner : M/s. Lakshmi
for M/s Polax Legal Solutions

For Respondents : Mr.M.Lingadurai
Special Government Pleader



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Chandrasekar purchased the property from one Chandrasekararajan. From the year 2002, the title of the property has been legally transferred. The learned counsel also submits that in the rejection order the respondent stated that there was an order of attachment by the Sub Court, Sivakasi in I.A.No. 478 of 2003 in O.S.No.212 of 2003 on 19.01.2004. In the suit, exparte order has been passed 08.04.2004. It is his further submission that for the past 21 years, there was no further action by the attachment holder in respect of the property and in the mean time, the property was transferred to two more persons. He would contend that it is not proper on the part of the respondent to refuse to register the property based on the order of attachment made before 21 years.

4. The learned Special Government Pleader appearing for the respondent would submit that since there was an attachment by the civil court, the Sub Registrar refused to register the sale deed. However, he would submit that no execution proceedings has been initiated and the order of attachment was kept in abeyance.

5. Heard both sides and perused the materials available on record.



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6. As rightly contended by the learned counsel for the petitioner, the attachment order was made on 19.01.2004 by the civil court and notice was not issued to the title holder of the property. Execution proceedings ought to have been initiated within a period of 12 years from the date of decree. For the past 21 years, no action was taken by the attachment holder.

7. In view of the above stated facts, this Court is inclined to set aside the impugned order and the same is set aside. The petitioner is directed to re-present the sale deed and once the petitioner presented the sale deed, the respondent is directed to register the same forthwith.

8. In fine, this writ petition is allowed. No costs.

11.12.2025

Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

CM

To,

The Sub Registrar,
Sattur Sub Registrar Office,
Sattur,
Virudhunagar District.



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KRISHNAN RAMASAMY, J.

CM

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