



WEB COPY

WP No. 3373 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-02-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 3373 of 2026

Dhanapal

S/o.Subramaniam, D.No.256, Veerampalayam,
Kangeyam Taluk, Tirupur District.

..Petitioner

Vs

The Sub Registrar

Kangeyam Sub Registrar Office, Tirupur District.

..Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to call for the records of the impugned order passed by the respondent in Refusal Number RFL/ Kangeyam /116/2025 dated 11/12/2025 and quash the same consequently direct the respondent to register the sale deed submitted by the petitioner on 11.12.2025.

For Petitioner:

Mr. T.Ganesan

For Respondent:

Mr.U.Baranidharan, Spl. Govt. Pleader



ORDER

Upon executing sale deed dated 11.12.2025, the petitioner presented the same for registration. The request for registration was declined by citing sale agreement bearing document no.961/2013.

2. Learned counsel for the petitioner submits that the intending purchaser under sale agreement dated 27.02.2013 did not come forward to pay the balance sale consideration within the prescribed period. Therefore, he submits that the registering officer was not entitled to refuse registration by referring to such agreement for sale.

3. Mr. U.Baraniidharan, learned Special Government Pleader, accepts notice for the sole respondent. He submits that reconsideration is warranted in the facts and circumstances.

4. On perusal of the impugned refusal check slip, it is noticeable that the sole ground for refusal is the registered agreement of sale dated 27.02.2013. Under Section 34C of the Registration Act, 1908, as applicable in Tamil Nadu, the registering officer is entitled to refuse registration if an agreement of sale is reflected in the encumbrance certificate provided it is within the period of limitation.



5. The agreement of sale bearing document no.961/2013 was executed on 27.02.2013. It prescribes that the balance sale consideration is required to be paid within 20 months from 27.02.2013. Said time limit would have expired by the end of 2014. It also appears *prima facie* that the time limit for seeking specific performance would have expired. Therefore, reconsideration is warranted. In order to facilitate the same, the impugned refusal check slip is set aside.

6. As a corollary, the petitioner is permitted to re-present the sale deed for registration within two weeks from the date of receipt of a copy of this order. Subject to fulfilment of other requirements relating to registration, unless an order restraining registration is received in the meantime, the registering officer shall register the document within two weeks from the date of re-presentation.

7. The writ petition stands disposed of on the above terms without any order as to costs.

10-02-2026

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

KJ

To

The Sub Registrar

Kangayam Sub Registrar Office, Tirupur District.

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