



WEB COPY

WP No. 9142 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 9142 of 2026

Thimmakka
W/o.Late.Kailappa alias Kavilappa
No.5/1017, Punnagaram village
Athimugam post
Shoolagiri Taluk
Krishnagiri District.

..Petitioner(s)

Vs

1. The Sub Registrar
Shoolagiri Sub Registrar office
Krishnagiri District.
2. M.Durai
S/o.Munusamy
No.1/1674 Tamilnadu Housing Board
Vennampatti
Lakkiyampatti post
Dharmapuri Taluk and District.

..Respondent(s)

PRAYER – This Writ Petition is filed under Article 226 of the Constitution of India, seeking a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of refusal check slip executed by the petitioner to her sons in Refusal Numbers RFL/Shoolagiri/26/2025 RFL/Shoolagiri/27/2025 and RFL/Shoolagiri /28/2025 dated 29.05.2025 passed by the 1st respondent and to quash the same and consequently direct the 1st respondent to register the settlement deeds.

For Petitioner(s): Mr.C.Prabakaran

For Respondent(s): Mr.U.Baranidharan,
Special Government Pleader (for R1)



ORDER

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This writ petition has been filed challenging the impugned refusal check slip dated 29.05.2025 issued by the 1st respondent refusing to register the settlement deed presented by the petitioner for registration on the ground that in respect of very same property, there is already an encumbrance.

2.The petitioner also categorically contends that even though there is an encumbrance, she is the absolute owner of the property. She also claims that patta also stands in her name. The petitioner has also challenged the impugned refusal check slip on the ground of violation of the principles of natural justice, as no opportunity of hearing was granted by the 1st respondent prior to the issuance of the impugned refusal check slip.

3.Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of the 1st respondent. Since no adverse orders are passed as against the 2nd respondent, notice to the 2nd respondent is dispensed with by this Court.

4.As seen from the impugned refusal check slip, the petitioner was not afforded of any opportunity of hearing prior to the passing of the impugned order. Neither the petitioner's contentions nor the supporting documents



produced by her were considered in the impugned order. Being a non-speaking order with regard to the petitioner's contentions and the supporting documents produced by her, and an order passed in violation of the principles of natural justice, this Court is of the considered view that the impugned refusal check slip dated 29.05.2025 issued by the 1st respondent has to be quashed and the matter remanded back to the respondent for fresh consideration on merits and in accordance with law.

5. Accordingly, this writ petition is disposed of in the following manner:-

- (a) The impugned refusal check slip dated 29.05.2025 is quashed by this Court and the matter is remanded back to the respondent for fresh consideration on merits and in accordance with law.
- (b) The petitioner shall submit a written explanation to the 1st respondent within a period of two weeks from the date of receipt of a copy of this order, as to why the 1st respondent has to accept the registration of the sale deed presented by the petitioner for registration, along with supporting documents.
- (c) On receipt of the same within the time stipulated, the respondent, after giving due consideration to the written explanation submitted by the petitioner along with



supporting documents, shall take a final decision with regard to registration of the sale deed presented by the petitioner, on merits and in accordance with law, within a period of six weeks thereafter.

(d) If the 1st respondent decides to refuse to register the sale deed, the 1st respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner and the supporting documents produced by him.

(e) However, there shall be no order as to costs.

11-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSA

To

The Sub Registrar
Shoolagiri Sub Registrar office
Krishnagiri District.



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ABDUL QUDDHOSE, J.

GSA

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