



WEB COPY

WP No. 6123 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 6123 of 2026
and W.M.P.No.6620 of 2026**

Palanisamy,
S/o.Varadhan,
D.No. 1/389, Solakottai Village,
Agraharam Post,
Harur Taluk,
Dharmapuri District.

..Petitioner(s)

Vs

The Sub Registrar,
Harur,
Dharmapuri District.

..Respondent(s)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Refusal Check Slip in refusal No. RFL/Harur/226/2025 dated 20.11.2025 and to quash the same as illegal, incompetent and ultra vires and consequently direct the respondent to register the Settlement deed dated 17.11.2025.

For Petitioner(s): Mr.J.Pradeep

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



ORDER

Asserting that the petitioner is the owner of lands described in paragraph 2 of the affidavit, the petitioner executed settlement deed dated 17.11.2025 in favour of his son and presented the same for registration. The request for registration was declined under the impugned refusal check slip.

2. Adverting to the impugned refusal check slip, learned counsel for the petitioner submits that the reasons for refusal mentioned therein are untenable. He submits that reference was made to the protest petition lodged by Chellappan and to O.S.No.18 of 2025. He points out that no interim orders were issued in the said suit and that mere pendency of the suit is no reason to refuse registration.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for the sole respondent. He submits that the impugned refusal check slip also makes reference to the entry in the certificate of encumbrances relating to Document No.622 of 1964 in the name of Varadha Gounder and to the patta being in the names of Pazhanisamy and Varadha Gounder. In any event, he submits that the matter would be re-considered after issuing notices to parties interested in the relevant property.

4. On perusal of the impugned refusal check slip, it is evident that the registering officer has cited Protest Petition No.36 of 2025 and O.S.No.18 of



2025. If the protest petition was received, the same should have been dealt with in accordance with Rules 54 and 55 of the Registration Rules. As regards a pending civil suit, unless an interim order restraining alienation had been issued thereunder, it would not be an impediment of registration. However, it is open to the registering officer to examine whether the executant is competent to execute the document.

5. For reasons aforesaid, the matter is required to be re-examined. In order to enable the same, impugned refusal check slip dated 20.11.2025 is set aside and the petitioner is permitted to re-present the settlement deed for registration. Within 30 days from the date of such re-presentation, after issuing notices to parties concerned, subject to fulfilment of other requirements relating to registration, the registering officer shall either register the document or issue a speaking order under Section 71 of the Registration Act, 1908.

6. This writ petition is disposed of on the above terms. No costs. Consequently, the connected writ miscellaneous petition is closed.

27-02-2026

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

To
The Sub Registrar, Harur,
Dharmapuri District.



WEB COPY

WP No. 6123 of 2



SENTHILKUMAR RAMAMOORTHY, J.

RNA

**WP No. 6123 of 2026
and W.M.P.No.6620 of 2026**

27-02-2026