



WEB COPY

WP No. 9053 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**WP No. 9053 of 2026
and W.M.P. No.9772 of 2026**

1. Mohammed Sultan
S/o.Abdul Hadi,
Residing at No.5, Karuthan Street,
Ariyalur Town,
Ariyalur Taluk and District-621 704.
2. P.Selvaraj
S/o.Ponnusamy,
residing at 37/12A7,
Vandikara Village,
Ariyalur Taluk,
Ariyalur District-621 704.

..Petitioner(s)

Vs

The Sub Registrar
Office of the Sub Registrar
Udayarpalayam, Ariyalur 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 Refusal Check Slip No.RFL / Udayarpalayam/ 8/ 2026 dated 30.01.2026 issued by the respondent/Sub-Registrar, Udayarpalayam, quash the same as illegal and without jurisdiction, and consequently direct the respondent to register the document presented by the petitioners without insisting upon compliance with G.O. Ms. No.78 or DTCP approval in view of the binding judgment in O.S.No.68 of 2025 dated 19.11.2025, whereby Document No.1426 of 2021 has been cancelled and to release the registered document within a time frame to be fixed by this Court.



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For Petitioner(s):

Mr.Usharamman

For Respondent(s):

Mr.U.Baranidharan,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 30.01.2026 issued by the respondent, refusing to register the sale deed presented by the petitioners for registration on the ground that the very same land was gifted to the Government for public purpose as per the Document No.1426 of 2021.

2.The petitioners contends that the Document No.1426 of 2021, reflected in the impugned refusal check slip, was cancelled by orders passed by the Civil Court in O.S.No.68 of 2025, on the file of the Additional District Munsif Court, Ariyalur. Therefore, according to the petitioners, by total non-application of mind, the impugned refusal check slip has been issued. The petitioners have also challenged the refusal check slip on the ground of violation of principles of natural justice as no opportunity of hearing was granted to the petitioners by the respondent before issuing the impugned refusal check slip.

3.Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of the respondent.



4. As seen from the impugned refusal check slip, the petitioners were not afforded of any opportunity of hearing prior to the passing of the impugned order. Neither the petitioners' contentions nor the supporting documents produced by them were considered in the impugned order. Being a non-speaking order with regard to the petitioners' contentions and the supporting documents produced by them, 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 30.01.2026 issued by the 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 30.01.2026 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 petitioners shall submit a written explanation to the respondent within a period of two weeks from the date of receipt of a copy of this order, as to why the respondent has to accept the registration of the sale deed presented by the petitioners for registration, along with supporting documents.



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(c) On receipt of the same within the time stipulated, the respondent, after giving due consideration to the written explanation submitted by the petitioners along with supporting documents, shall take a final decision with regard to registration of the sale deed presented by the petitioners, on merits and in accordance with law, within a period of six weeks thereafter.

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

(e) Consequently, connected Miscellaneous Petition is closed. 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
office of the Sub Registrar
Udayarpalayam,
Ariyalur District.



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ABDUL QUDDHOSE, J.

GSA

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