



W.P.No.8981 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.8981 of 2026

and

W.M.P.No.9696 of 2026

J.Ponnaiyan

... Petitioner

Vs.

1.The District Registrar-Administration,
District Registrar Office,
Dharmapuri District.

2.The Sub Registrar,
Marandahalli Sub Registrar Office,
Dharmapuri District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Refusal check slip in Refusal No.RFL/Marandahalli/3/2026 dated 09.01.2026 issued by the 2nd respondent and quash the same and consequently direct him to register the sale deed dated 06.01.2026 which was presented by the petitioner.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.U.Baranidharan
Special Government Pleader



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ORDER

This Writ Petition has been filed challenging the impugned refusal check slip dated 09.01.2026 issued by the 2nd respondent refusing to register the sale deed presented by the petitioner for registration on the ground that a civil suit is pending.

2. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of the respondents.

3. The petitioner categorically contends before this Court that his vendor under the sale deed is the absolute owner of the property. Hence, according to the petitioner, the 2nd respondent ought to have registered the sale deed presented by the petitioner for registration. He also contends that a portion of the land, which was earlier purchased by him under a sale deed was allowed to be registered, despite the pendency of the very same civil suit. Therefore, the petitioner contends that arbitrarily, by total non-application of mind, the 2nd respondent has refused to register the sale deed for the balance extent of land under the impugned refusal check slip, dated 09.01.2026.



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4. The petitioner has challenged the impugned refusal check slip on the ground of violation of the principles of natural justice, and on the ground that it is a non-speaking order. The petitioner also categorically contends that the executant of the document presented for registration is legally empowered to execute the said document.

5. 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 him were considered in the impugned order. Being a non-speaking order with regard to the petitioner's contentions and the supporting documents produced by him, 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 09.01.2026 issued by the 2nd respondent has to be quashed and the matter has to be remanded back to the 2nd respondent for fresh consideration on merits and in accordance with law.



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6. Accordingly, this Court is inclined to dispose of this writ petition in the following manner:-

(a) The impugned refusal check slip dated 12.02.2026 is quashed by this Court and the matter is remanded back to the 2nd respondent for fresh consideration on merits and in accordance with law.

(b) The petitioner shall submit a written explanation to the 2nd respondent within a period of two (2) weeks from the date of receipt of a copy of this order, as to why the 2nd 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 2nd 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 (6) weeks thereafter.

(d) If the 2nd respondent decides to refuse to register the sale deed, the 2nd respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner and the supporting documents produced by him.



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7. In the above terms, this Writ Petition is disposed of. No costs.

Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

sp

To

1.The District Registrar-Administration,
District Registrar Office,
Dharmapuri District.

2.The Sub Registrar,
Marandahalli Sub Registrar Office,
Dharmapuri District.



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ABDUL QUDDHOSE, J.

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