



WEB COPY



W.P.No.8901 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.8901 of 2026

Saraswathi

... Petitioner

Vs.

The Sub-Registrar,
Thirukazhukundram Sub-Registrar Office,
Chengalpattu District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal slip No.RFL/திருக்கழுக்குன்றம்/3/2026 by the respondent dated 24.02.2026 and quash the same as illegal and ultra virus and consequently direct the respondent to register and release the Sale Deed dated 24.02.2026 presented by the petitioner.

For Petitioner : Mr.B.Gopalakrishnan

For Respondent : Mr.U.Baranidharan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip dated 24.02.2026 issued by the respondent refusing to register the sale deed presented by the petitioner for registration on the



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ground that the petitioner is not in sound state of mind to execute the sale deed.

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

3. The petitioner categorically contends before this Court that she is medically fit to execute the sale deed. According to the petitioner, arbitrarily, by total non-application of mind in a mechanical manner, the respondent had refused to register the sale deed presented by the petitioner for registration. The petitioner has challenged the impugned refusal check slip on the ground of violation of the principles of natural justice, since no opportunity of hearing was granted to the petitioner by the respondent before passing the impugned refusal check slip, 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.

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



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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 24.02.2026 issued by the respondent has to be quashed and the matter has to be remanded back to the respondent for fresh consideration on merits and in accordance with law.

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

(a) The impugned refusal check slip dated 24.02.2026 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 petitioner 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 petitioner 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 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 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 petitioner and the supporting documents produced by her.

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

11.03.2026

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

The Sub-Registrar,
Thirukazhukundram Sub-Registrar Office,
Chengalpattu District.



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ABDUL QUDDHOSE, J.

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