



WEB COPY

WP No. 10668 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 10668 of 2026 AND WMP Nos.11574, 11582 & 11583 OF 2026

1. K.Basappan

2. Smt. Govindhammal

.. Petitioners

Vs

1. The District Registrar
Krishnagiri

2. The Sub-Registrar,
Shoolagiri, Krishnagiri Dt.

3. C.R. Thirupathi Gounder

..Respondents

Calling for the records of the impugned order dated 31.01.2026 vide REF/Shoolagiri/4/2026 with respect to TP/247305603/2026 on the file of the 2nd Respondent and quash the same as illegal and without jurisdiction and consequently direct the 2nd Respondent to register the sale deed document vide TP/247305603/2026 presented by the petitioners in favour of the 3rd Respondent and release the same.

For Petitioners:

Mr.V.Raghavachari
Senior Counsel
for Mr.J.Bharathi Raja

For Respondents:

Mr.U.Baranidharan,
SGP For R1 & R2
R3 -Pvt



Order

WMP. No.11574 of 2026 is ordered subject to the payment of separate court fee.

2.This writ petition has been filed, challenging the impugned refusal check slip dated 31.01.2026, issued by the second respondent, refusing to register the sale deed, presented by the petitioners for registration on the ground that the petitioners had not produced the parent document, Document No.1069 of 1947, namely, the registered will.

3.The petitioners categorically contend before this Court that the executants of the sale deed, presented for registration, are the absolute owners of the property. They traced their title through a sale deed dated 07.05.1947. Therefore, according to the petitioners, arbitrarily and without jurisdiction, the second respondent has issued the impugned refusal check slip dated 31.01.2026, refusing to register the sale deed, presented by the petitioners for registration.

4.As seen from the impugned order, the contentions of the petitioners as raised in this writ petition along with the supporting documents, filed by the petitioners, have not been considered. The petitioners place reliance on the sale deed of the year 1947 to trace the petitioners' title. However, the second



respondent has relied upon a registered Will of the year 1944, which the petitioners claim that it is not the parent document of title.

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5.As seen from the impugned order, no opportunity of personal hearing was given to the petitioners and the petitioners were also not directed to submit a written explanation as to why there is no prohibition for the second respondent to register the sale deed presented by the petitioners for registration. The contentions of the petitioners as raised in this writ petition have also not been considered by the second respondent in the impugned order.

6.Being a non-speaking order and an order passed in violation of principles of natural justice, this Court is of the considered view that the impugned order dated 31.01.2026 has to be quashed and the matter has to be remanded back to the second respondent for fresh consideration, on merits and in accordance with law, within a time frame to be fixed by this Court.

7.Accordingly, the impugned order dated 31.01.2026 passed by the second respondent is hereby quashed and the matter is remanded back to the second respondent for fresh consideration, on merits and in accordance with law.



8. The petitioners shall submit a written explanation to the second respondent as to why there is no prohibition for the second respondent to register the sale deed, presented by the petitioners for registration along with the supporting documents, within a period of 2 weeks from the date of receipt of a copy of this order. On receipt of the said written explanation from the petitioners within the stipulated time, the second respondent shall take a final decision, after giving due consideration to the written explanation submitted by the petitioners along with the supporting documents as to whether the sale deed presented by the petitioners can be registered or not, within a period of 4 weeks thereafter. In case the second respondent refuses to register the sale deed, presented by the petitioners for registration, the second respondent shall pass a speaking order with regard to the petitioners' contentions and the supporting documents. Consequently, connected WMPs are closed. No costs.

18-03-2026

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

VGA



To

1. The District Registrar
Krishnagiri
2. The Sub-Registrar,
Shoolagiri, Krishnagiri Dt.



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ABDUL QUDDHOSE J.

VGA

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