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W.P.No.10547 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.10547 of 2026

Ashok Kumar

... Petitioner

Vs.

The Sub-Registrar,
Mailam Sub-Registrar Office,
Tindivanam, Villupuram – 604 304.

... 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 order passed by the respondent dated 29.01.2026 in Refusal Check Slip No.RFL/Mailam/5/2026, related to the sale deed for the property measuring is 0.13 ½ cent i.e. 5855.25 square feet in new Survey No.93/1 quash the same consequently direct the respondent to register the sale deed dated 29.01.2026 submitted by the petitioner.

For Petitioner : Mr.L.Albert Vinod

For Respondent : Ms.K.Aswini Devi
Additional Government Pleader



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ORDER

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This Writ Petition has been filed challenging the impugned refusal check slip dated 29.01.2026 issued by the respondent refusing to register the sale deed presented by the petitioner for registration on the ground that there exist a valid registered lease deed for the very same property, which is the subject matter of the sale deed.

2. Ms.K.Aswini Devi, learned Additional Government Pleader, accepts notice on behalf of the respondent.

3. The petitioner has challenged the impugned refusal check slip by stating that the petitioner has got every legal right to register the sale deed presented for registration subject to the lease. He has also 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. He also categorically contends that the executant of the document presented for registration is legally empowered to execute the said document.



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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 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 29.01.2026 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 29.01.2026 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 petitioner shall submit a written explanation to the respondent within a period of one week from the date of receipt of a copy of this order,



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as to why the 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 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 four (4) 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 him.

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

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To
The Sub-Registrar,
Mailam Sub-Registrar Office,
Tindivanam, Villupuram – 604 304.



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ABDUL QUDDHOSE, J.

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