



W.P.No.11732 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.11732 of 2026

and

W.M.P.No.12795 of 2026

M.Poongodi

... Petitioner

Vs.

The Sub Registrar,
Office of the Sub Registrar,
Vazhapadi,
Salem 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 Refusal Check Slip of the respondent dated 25.02.2026 in Refusal Number.RFL/Vazhapadi/15/2026 and quash the same and consequently direct the respondent to forthwith register the Affidavit of Declaration of the petitioner and her sisters dated 19.02.2026.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.U.Baranidharan
Special Government Pleader



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ORDER

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This Writ Petition has been filed challenging the impugned refusal check slip dated 25.02.2026 issued by the respondent refusing to register the affidavit of declaration submitted by the petitioner and her sisters dated 19.02.2026 for registration on the following grounds :-

(a) patta/house tax receipts has not been produced by the petitioner ;

(b) the original parent documents have not been produced by the petitioner.

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

3. The petitioner has challenged the impugned refusal check slip on the ground that it is a non-speaking order with regard to the contentions of the petitioner and on the ground that it has been passed in violation of the principles of natural justice. She categorially 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 any opportunity of hearing prior to the passing of the 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 25.02.2026 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 25.02.2026 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 one (1) week from the date of receipt of a copy of this order, as to why there is no legal impediment for the



respondent to register the affidavit of declaration presented by the petitioner and her sisters 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 as to whether the affidavit of declaration presented by the petitioner and her sisters dated 19.02.2026 can be registered or not, 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 affidavit of declaration, 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.

Consequently, the connected miscellaneous petition is closed.

30.03.2026

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



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To

The Sub Registrar,
Office of the Sub Registrar,
Vazhapadi,
Salem District.



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ABDUL QUDDHOSE, J.

sp

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