



WEB COPY

WP No. 11613 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

**WP No. 11613 of 2026
and WMP No.12660 of 2026**

Purushothaman
S/o. Radhakrishnan,
No.943, Nandhavana Street,
Arappananjcheri, Kancheepuram Taluk,
Kancheepuram District.

..Petitioner(s)

Vs

1. The Inspector General of Registration
100, Santhome High Road,
Chennai-600 028
2. The Joint -II Sub Registrar, Kancheepuram,
The Office of Sub Registrar,
Kancheepuram

..Respondent(s)

Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 2nd Respondent vide Na.Ka. No.195/2026 dated 02.03.2026 and quash the same as illegal arbitrary and non-est in law and consequently direct the 2nd Respondent to register the partition deed dated 10.02.2026 and release the same to the petitioner within the time frame stipulated by this Court.

For Petitioner(s): Mr.B.Vijay

For Respondent(s): Mr.U.Baranidharan,
Special Government Pleader



ORDER

This writ petition has been filed challenging the impugned order dated 02.03.2026 passed by the 2nd respondent whereby the registration of the partition deed dated 10.02.2026 presented by the petitioner was refused on the following grounds:

- (a) The property, which is the subject matter of the partition deed had already been conveyed under Document No. 3383 of 1999; and
- (b) The petitioner failed to produce a patta for the subject property standing in the name of the executant of the partition deed dated 10.02.2026.

The petitioner has challenged the impugned order on the ground of non-application of mind particularly in the light of the settled law that the registration department is not empowered to go into the title of the property.

2. The learned counsel for the petitioner also relied upon the judgement of the Hon'ble Supreme Court in the case of *[K.Gopi vs Sub Registrar]* reported in 2025 (2) CTC 777 for the aforesaid proposition.

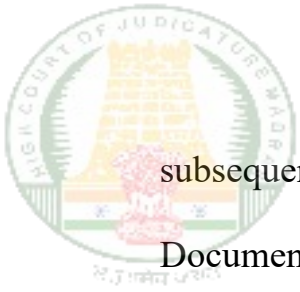


3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of respondents.

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4. It is an admitted fact that the property, which is the subject matter of the partition deed dated 10.02.2026 had earlier been conveyed by a third party under Document No.3383 of 1999. The petitioner categorically contends that his father had, infact purchased the property even prior to the aforesaid transaction through a Sale deed registered as document No.2488 of 1999. According to the petitioner, the very same vendor subsequently executed another registered document fraudulently in favour of a third party. The petitioner further submits that there is no legal prohibition preventing the 2nd respondent to register the partition deed presented by the petitioner for registration. It is also brought to the notice of this Court that this is the second round of litigation, and that the matter had earlier been remanded to the 2nd respondent for fresh consideration by order dated 06.02.2026 in W.P. No. 2667 of 2026.

5. The learned Special Government Pleader appearing on behalf of the respondents on instructions submitted that the matter can once again be remanded back to the 2nd respondent for fresh consideration, on merits and in accordance with law, after hearing the objections of one Mr.Janakiraman, the person from whom the petitioner's father had purchased the property and who



subsequently executed another sale deed in favour of a third party under Document No.3383 of 1999.

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6. No prejudice will be caused to any other party if the matter is remanded back to the 2nd respondent for fresh consideration. Accordingly, the respondents are directed to reconsider the matter once again, after hearing the objections of Mr.Janakiraman and in the light of the well settled law that the registration department cannot go into the title of the property whenever any document is presented for registration.

7. Since the impugned order is a non speaking order and does not address the contentions raised by the petitioner, the same is liable to be quashed.

8. Accordingly, the impugned order dated 02.03.2026 is set aside and the matter is remanded back to the 2nd respondent for fresh consideration. The petitioner shall submit a written explanation to the 2nd respondent along with supporting documents stating as to why there is no legal prohibition for the 2nd respondent to refuse registration of the partition deed dated 10.02.226 presented by the petitioner for registration, within a period of one week from the date of receipt of a copy of this order. On receipt of the written explanation from the petitioner within the stipulated time, the 2nd respondent after hearing the



objections of Mr. Janaki Raman, the person who sold the very same property, which is the subject matter of the partition deed presented by the petitioner for registration and after giving due consideration to the written explanation submitted by the petitioner as well as the supporting documents produced by the petitioner, shall take a decision as to whether the partition deed presented by the petitioner can be registered or not, after taking note of the well settled law that the registration department cannot go into the title of the property whenever any document is presented for registration, within a period of four weeks from the date of receipt of the written explanation from the petitioner. No costs. Consequently, the connected miscellaneous petition is closed.

30-03-2026

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

RKA



To

1. The Inspector General of Registration
100, Santhome high Road,
Chennai-600 028
2. The Joint -II Sub Registrar Kancheepuram,
The Office of Sub Registrar,
Kancheepuram



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ABDUL QUDDHOSE, J.

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