



W.P.No.13028 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.13028 of 2026

J.Srinivasan

... Petitioner

Vs.

The Sub-Registrar,
Joint II 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 refusal check slip dated 11.03.2026 issued by the respondent herein in Refusal Number RFL/2 No.Joint Sub Registrar Chengalpattu/31/2026, quash the same and consequently issue direction directing the respondent herein to register forthwith the Receipt deed dated 11.03.2026 presented by the petitioner.

For Petitioner : Mr.G.Magesh Kumar

For Respondent : Mr.P.Harish

Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip dated 11.03.2026 issued by the respondent refusing to



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register the discharge receipt, dated 11.03.2026 presented by the petitioner for registration.

2. Mr.P.Harish, learned Government Advocate, accepts notice on behalf of the respondent.

3. The petitioner claims to be the mortgagee. He claims that he has received the dues of the mortgage and therefore, he had presented by the discharge receipt, dated 11.03.2026 for registration with the respondent. According to the petitioner, arbitrarily, the respondent has issued the impugned refusal check slip, dated 11.03.2026 refusing to register the discharge receipt on the ground that the petitioner had not produced the legal heirship certificate of the deceased borrower. The petitioner claims that there is a dispute between some of the legal heirs and only due to the said reason, there is a difficulty for the legal heirs to obtain the legal heirship certificate. The petitioner has 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 with regard to the contentions of the petitioner as raised in this writ petition.



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4. As seen from the impugned refusal check slip, the petitioner was not afforded of any opportunity of hearing by the respondent prior to the issuance of impugned refusal check slip. 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 contentions of the petitioner as raised in this writ petition and being an order issued in violation of the principles of natural justice, this Court is of the considered view that the impugned refusal check slip dated 11.03.2026 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, the impugned refusal check slip, dated 11.03.2026 issued by the respondent is hereby quashed by this Court and the matter is remanded back to the respondent for fresh consideration on merits and in accordance with law. 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 discharge receipt, dated 11.03.2026 presented by the petitioner for registration, along with supporting documents. On



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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 discharge receipt, dated 11.03.2026 presented by the petitioner can be registered or not, within a period of four (4) weeks thereafter. If the respondent decides to refuse registration of the discharge receipt, dated 11.03.2026, 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
sp



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WEB COPY

To
The Sub-Registrar,
Joint II Sub-Registrar Office,
Chengalpattu District.



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ABDUL QUDDHOSE, J.

sp

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