



WEB COPY

WP No. 13901 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 13901 of 2026

AND

WMP NO. 15138 OF 2026, WMP NO. 15140 OF 2026

1. Dominic Xavio Plecidus Morais
S/o. T.S.Morais, No.3 , Second Lane,
Pantheon Road, Egmore, Chennai 08
Currently at No. 16 Shoe Road,
Kotaheon, Colombo 13 Rep. by his
power of Attorney M.Lokesh, s/o.
Manoharan, No. 89/37 SRP koil Street
south, Agaram, Jawahar Nagar, Chennai
82

2. Anish Vijayan
S/o. Vijayaraghavan, No.244, 1A First
Floor, 1st Cross Street, VGN Nagar,
Phase 3 Nolambur, Maduravoyal,
Chennai 95

Petitioner(s)

Vs

1. The Sub Registrar
Konnur Sub Registrars office, Chennai

Respondent(s)

PRAYER

Calling for the records of the Respondent culminating in his impugned Refusal Check Slip No. RFL/ Konnur/ Book 2/1 dated 7.03.2025 and proceedings bearing pending Document No. P7/ 2025 dated 7.03.2025 refusing to register the sale deed dated 25.1.2025 executed by the 1st petitioner in favour of the 2nd petitioner quash the same and consequently direct the respondent to forthwith register the said sale deed



For Petitioner(s): Mr.Arun Anbumani for
Mr.A.Aravindan

For Respondent(s): Mr.P.Harish Govt.Advocate For
Respondent

ORDER

This writ petition has been filed, challenging the impugned order dated 07.03.2025 issued by the respondent, refusing to register the sale deed presented by the petitioners for registration on the ground that the very same property was already conveyed through a settlement deed by a third party.

2. The petitioners categorically contend before this Court that the first petitioner is the absolute owner of the property morefully described in the prayer to this writ petition. The petitioners have also produced parent document for the subject property and they have also traced their title to establish that the first petitioner is the absolute owner of the property morefully described in the prayer to this writ petition.

3. The revenue records pertaining to the subject property standing in the name of the first petitioner is also produced by the petitioners before this Court. According to the petitioners, by total non application of mind, the respondent has refused to register the sale deed presented by the petitioners for registration on the ground that the very same property has already been conveyed by a third party much earlier.



4. The learned counsel for the petitioners drew the attention of this Court to the parent document for the subject property and he would submit that the first petitioner traces his title to the sale deed of the year 1985.

5. The learned counsel for the petitioners also drew the attention of this Court to the settlement deed, which has been relied upon by the respondent in the impugned order and would submit that the subject settlement deed does not pertain to the petitioners' property. He would submit that the survey number disclosed in the settlement deed relied upon by the respondent does not tally with the survey number of the petitioners' property. Further, the property, which is the subject matter of the settlement deed is classified as "Sarkar Poramboke", whereas the first petitioner's property is a patta property.

6. The learned counsel for the petitioners would also submit that the respondent has erroneously, by total non application of mind, adjudicated the title of the property through the impugned order. He would also submit that without affording any opportunity of hearing to the petitioners and without giving due consideration to the contentions of the petitioners, as raised in this writ petition, the respondent has passed the impugned order.

7. The learned counsel for the petitioners also submits that the petitioners have already paid the stamp duty for a sum of Rs.15,26,210/- towards



registration fees.

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

9. Admittedly, as seen from the impugned order, the contentions of the petitioners as raised in this writ petition referred to supra has not been considered by the respondent. The petitioners have produced documents along with this writ petition to substantiate their case that the first petitioner is the absolute owner of the property morefully described in the prayer to this writ petition and there is no legal impediment for the respondent to register the sale deed presented by the petitioners for registration.

10. The first petitioner has also traced the title over the property and has also produced parent document and the revenue records in support of the petitioners' contentions that the first petitioner is the absolute owner of the property and they are in possession of the same.

11. On a *prima facie* consideration, this Court also finds that the settlement deed relied upon by the respondent does not tally with the property owned by the first petitioner. However, without giving due consideration to the contentions of the petitioners and the supporting documents, the respondent has



refused to register the sale deed presented by the petitioners for registration.

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12. As seen from the impugned order dated 07.03.2025, the petitioners' contentions as raised in this writ petition along with the petitioners' supporting documents have not been considered by the respondent. The petitioners were also not afforded any opportunity of hearing by the respondent prior to passing of the impugned order dated 07.03.2025.

13. Since the impugned order dated 07.03.2025 is a non-speaking order and is an order passed in violation of the principles of natural justice, necessarily, the impugned order dated 07.03.2025 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.

14. Accordingly, the impugned order dated 07.03.2025 issued by the respondent is hereby quashed and the matter is remanded back to the respondent for fresh consideration on merits and in accordance with law. The petitioners shall submit a written explanation to the respondent along with supporting documents, stating as to why there is no legal impediment for the respondent to register the sale deed presented by the petitioners for registration within a period of one week from the date of receipt of a copy of this order. On receipt of the same, within the stipulated time, the respondent after giving due consideration



to the written explanation submitted by the petitioners and the supporting documents produced by the petitioners, shall take a final decision as to whether the sale deed can be registered or not within a period of three weeks thereafter.

15. In case, the respondent decides to refuse registration of the sale deed presented by the petitioners, the respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioners as well as the supporting documents produced by the petitioners.

16. With the aforesaid directions, this writ petition is disposed of. No Costs. Consequently, W.M.P. No.15138 of 2026 is ordered subject to payment of separate Court fee and W.M.P. No.15140 of 2026 is closed.

20-04-2026

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

1.The Sub Registrar
Konnur Sub Registrars office, Chennai



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ABDUL QUDDHOSE J.

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