



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 16287 of 2026

1. K.Srinivasan
S/o. Krishnamma Naidu, No. 115
Kaliyamman Koil Street, Ponneri,
Thadaperumbakkam, Thiruvallur 601
204

Petitioner(s)

Vs

1. State Rep. by
The Inspector General of Registrar,
Registration department, Santhome,
Chennai 28

2.The Sub Registrar office
O/o.The Sub Registrar , Sembium,
Perambur, Chennai 11

Respondent(s)

PRAYER

Call for the records connected to order passed by the 2nd respondent vide S.No. 9 (D309) dated 1.04.2026 quash the same subsequently direct the 2nd respondent to register the sale certificate issued by the XXV Assistant city civil court at Chennai dated 2.03.2026

For Petitioner(s): Mr.D.Muthukumarappa

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

ORDER

This writ petition has been filed, challenging the impugned order dated 01.04.2026 issued by the second respondent, refusing to register the sale

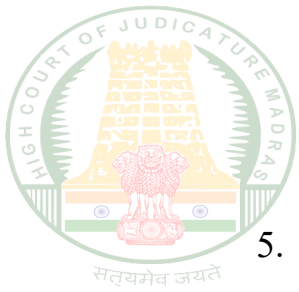


certificate presented by the petitioner for registration on the ground that the said sale certificate was presented by the petitioner for registration in violation of Section 23 of the Registration Act.

2. As seen from the documents filed along with this writ petition, by order dated 18.02.2026 passed in E.A. No.7 of 2025 in E.P. No.2369 of 2018, based on an amendment application filed by the petitioner, the earlier order passed by the executing Court, which had issued the sale certificate, has been modified. However, as seen from the impugned order dated 01.04.2026, passed by the second respondent, the modification order dated 18.02.2026 passed by the executing Court has not been considered by the second respondent. If the said order was taken into consideration, the petitioner may not have violated Section 23 of the Registration Act.

3. This Court is not expressing any opinion on the merits of the respective contentions.

4. As seen from the impugned order dated 01.04.2026, the petitioner's contentions as raised in this writ petition along with the petitioner's supporting documents have not been considered by the second respondent. The petitioner was also not afforded any opportunity of hearing by the second respondent prior to passing of the impugned order dated 01.04.2026.



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5. Since the impugned order dated 01.04.2026 is a non-speaking order and is an order passed in violation of the principles of natural justice, necessarily, the impugned order dated 01.04.2026 has to be quashed and the matter has to be remanded back to the second respondent for fresh consideration on merits and in accordance with law.

6. Accordingly, the impugned order dated 01.04.2026 issued by the second respondent is hereby quashed and the matter is remanded back to the second respondent for fresh consideration on merits and in accordance with law. The petitioner shall submit a written explanation to the second respondent along with supporting documents, stating as to why there is no legal impediment for the second respondent to register the sale certificate 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 same, within the stipulated time, the second respondent after giving due consideration to the written explanation submitted by the petitioner and the supporting documents produced by the petitioner, shall take a final decision as to whether the sale certificate can be registered or not within a period of three weeks thereafter.

7. In case, the second respondent decides to refuse registration of the sale certificate presented by the petitioner, the second respondent shall pass a



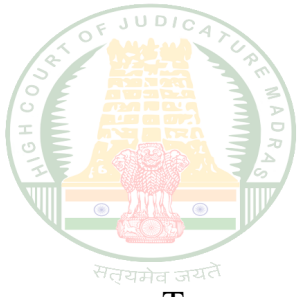
speaking order, after giving due consideration to the contentions of the petitioner as well as the supporting documents produced by the petitioner.

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8. With the aforesaid directions, this writ petition is disposed of. No Costs.

27-04-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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ABDUL QUDDHOSE J.

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