



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 22149 of 2026

R.Mohanapriya,
D/o.Rajan,
Door No.2/98, karukkankattupudur post,
Avinashi Taluk,
Tiruppur District - 641654.

..Petitioner(s)

Vs

1. The Inspector General of Registration,
Registration Department,
Government of Tamilnadu, santhome,
Chennai – 600004.
2. The Sub-Registrar,
Sub-Registrar office,
Avinashi,
Tiruppur District.

..Respondent(s)

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal check slip issued by the 2nd respondent vide refusal check slip vide RFL/Avinashi/3/2026 dated 15.04.2026 and vide proceedings SE.MU.Aa.No.195/2026 dated 15.04.2026 quash the same and consequently direct the 2nd respondent to register the sale deed dated 15.04.2026 presented by the petitioner, without insisting upon or any other condition not contemplated under the registration act, within the stipulated time as may be fixed by this Honble High Court.



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For Petitioner(s):

Mr.N.Umapathi

For Respondent(s):

Mr.Dominic S.David, Govt's Cl.

ORDER

This writ petition has been filed against the impugned refusal check slip dated 15.04.2026 issued by the 2nd respondent.

2. Mr.Dominic S.David, learned Government's counsel, takes notice on behalf of the respondents.

3. By consent of the parties, the main petition is taken up for disposal in the stage of admission itself.

4. The learned counsel for the petitioner would submit that in this case, the petitioner's vendor had purchased a portion of property at survey No.301/2B, to an extent of 84 cents, vide sale deed dated 28.06.1979. Now, a sale deed dated 13.04.2026, pertaining to the very same property, was executed in favour of the petitioner. However, the same was refused to be registered by the respondent on the ground that the subject property, which is a portion of the Survey No.301, measuring to an extent of 8.72 Acres, was already partitioned

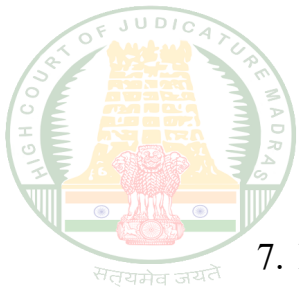


vide deed dated 06.09.2024 by the legal heirs of the petitioner's vendor's vendor.

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5. Further, he would submit that the petitioner's vendor is in enjoyment of the subject property with boundaries since the year 1979. In such case, the legal heirs of the vendor's vendor was not even in possession of the subject property for a period of more than 5 decades. However, without considering the said aspect, the respondents had registered the forged partition deed dated 06.09.2024 executed by the legal heirs of the vendor's vendor by wrongly including the portion, which was already alienated by the petitioner's vendor. Now, citing the said forged deed, the respondents had refused to register the petitioner's sale deed dated 13.04.2026 vide impugned refusal check slip dated 15.04.2026. Hence, this petition.

6. In reply, the learned Government's counsel appearing for the respondents would submit that in this case, the partition deed was registered by the legal heirs of the vendor's vendor on 06.09.2024 for the subject property and hence, the respondent is not in a position to register the sale deed dated 13.04.2026, which was executed in favour of petitioner for very same subject property. Therefore, he requests this Court to pass appropriate orders.

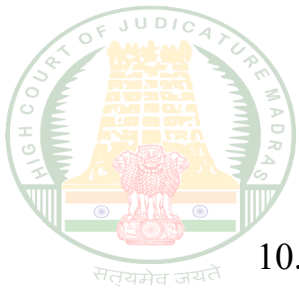


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7. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.

8. In the case on hand, initially, the petitioner's vendor purchased a portion of the subject property, at Survey No.301/2B, to an extent of 82 cent, vide sale deed dated 28.06.1979. Now, the sale deed dated 13.04.2026, pertaining to the very same portion property, was executed in favour of the petitioner. However, the same was refused to be registered by the respondent on the ground that already the partition deed was executed on 06.09.2024 by the legal heirs of the petitioner's vendor's vendor, which includes the subject property. Further, it was contended by the petitioner that the petitioner's vendor is in possession of the subject property from the year 1979

9. In such case, it appears that the legal heirs of the vendor's vendor was not even in possession of the subject property for a period of more than 5 decades. However, without considering the said aspect, the respondent had registered the forged partition deed dated 06.09.2024 executed by the legal heirs of the vendor's vendor by wrongly including the portion, which was already alienated by the petitioner's vendor.



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10. When a partition deed is presented for the purpose of registration, it is the bounded duty of the respondents to verify on the aspect of boundaries of the subject property. If the Registering Authorities verified the Encumbrance Certificate of the subject property, they would have known that out of the entire property, an extent of 82 cents of land at Survey No.302/2B belongs to the petitioner's vendor. However, without any proper verification, the partition deed, presented by the legal heirs of the petitioner's vendor's vendor, was registered by the respondents. Now, citing the said partition deed, the respondents had refused to register the sale deed executed by the petitioner, which is not proper.

11. Even if any objection is raised by the legal heirs of the vendor's vendor based on the alleged partition deed, the same will not be an impediment for the respondents to register the petitioner's sale deed and it is up to the parties to approach an appropriate Civil Court to establish their rights over the property.

12. For all the reasons above, this Court is inclined to set aside the refusal check slip issued by the respondents. Accordingly, the impugned refusal check slip dated 15.04.2026 is set aside. The petitioner is directed to re-present the sale deed dated 13.04.2026 within a period of one week from the date of receipt



of a copy of this order. Upon representation of sale deed, the concerned respondent shall register the same in accordance with law.

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13. With the above directions, this writ petition is disposed of. No cost.

15-06-2026

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

To

1. The Inspector General of Registration,
Registration Department,
Government of Tamilnadu, santhome,
Chennai – 600004.
2. The Sub-Registrar,
Sub-Registrar office,
Avinashi,
Tiruppur District.



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KRISHNAN RAMASAMY J.

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