



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 23156 of 2026

Naryanasamy

... Petitioner

Vs

The Sub Registrar
Puduchatiram,
Namakkal Taluk,
Namakkal District.

..Respondent(s)

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned refusal check slip dated 02.06.2026 bearing RFL/Puduchatram-Namakkal/95/2026 issued by the Respondent, quash the same and consequently direct the respondent to register the preliminary decree dated 30.09.2020 passed in O.S. No.279 of 2016 on the file of the Principal Subordinate Judge, Namakkal.

For Petitioner : Mr. V.Elangovan

For Respondent : Mr.Dominic S. David
Government's Counsel

ORDER

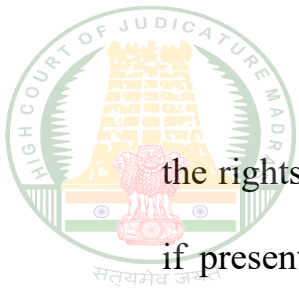
Challenge was made to the impugned refusal check slip dated 02.06.2026 bearing RFL/Puduchatram-Namakkal/95/2026 issued by the respondent and for



consequential direction to the respondent to register the preliminary decree dated 30.09.2020 passed in O.S. No.279 of 2016 on the file of the Principal Subordinate Judge, Namakkal.

2. The learned counsel appearing for the petitioner submitted that the petitioner has filed a suit in O.S.No.279 of 2016 on the file of the learned Principal Subordinate Judge, Namakkal, against one R.Murugesan and others seeking the relief of partition, mandatory injunction and permanent injunction in respect of the suit property. The said suit was partly decreed in favour of the petitioner by judgment and preliminary decree dated 30.09.2020 declaring that the petitioner is entitled to 1/7th share in the suit property granting permanent injunction restraining the defendants from alienating or encumbering the suit property. The petitioner presented the said preliminary decree dated 30.09.2020 passed in O.S.No.279 of 2016 before the respondent for registration on 31.05.2026 and the document was taken up for registration on 01.06.2026. However, the respondent refused to register the said preliminary decree and issued the impugned refusal check slip dated 02.06.2026. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner submitted that the respondent has refused to register the preliminary decree stating that the final decree is yet to be passed. However, he submitted that in the preliminary decree

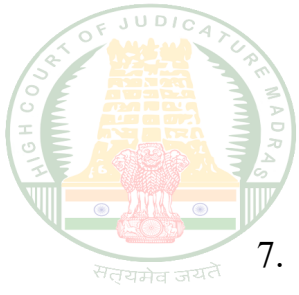


the rights of the parties have been quantified. Hence, any judgment and decree if presented for registration at the instance of the parties concerned, then the respondent is supposed to register the same. On the contrary, the respondent has refused to register the preliminary decree dated 30.09.2020 by way of the impugned refusal check slip dated 02.06.2026 which has to be quashed.

4. The learned Government's counsel appearing for the respondent submitted that the impugned order may be set aside and remit the matter back to the respondent for fresh consideration and the same will be considered in accordance with law.

5. Heard the learned counsel on either side and perused the materials available on record.

6. As rightly submitted by the learned counsel for the petitioner, by virtue of the preliminary decree, the rights of the parties have been decided and final decree proceedings is only with reference to the apportionment and the boundary of the property. Therefore, in any event, if any preliminary decree is presented for registration, the respondent is supposed to register the same and the refusal of the same cannot be sustained in the eyes of law. Therefore, the said impugned refusal check slip dated 02.06.2026 bearing RFL/Puduchatram-Namakka/95/2026 issued by the Respondent is liable to be set aside.



7. In the result, this Writ Petition is allowed. The impugned refusal check slip dated 02.06.2026 bearing RFL/Puduchatram-Namakkal/95/2026 issued by the Respondent is set aside. The respondent is directed to register the preliminary decree dated 30.09.2020 passed in O.S.No.279 of 2016 by the learned Principal Subordinate Judge, Namakkal, within forty eight (48) hours from the date of receipt of a copy of this order. No costs.

18-06-2026

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

SRM



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To
WEB COPY

The Sub Registrar,
Puduchatiram,
Namakkal Taluk,
Namakkal District.



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KRISHNAN RAMASAMY, J.

SRM

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