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WP No. 31507 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 06-01-2026**

CORAM

**THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY**

**WP No. 31507 of 2025**

K.Madhavan, S/o.Late Kumaravel Mudaliar,  
449, Seeyamangalam Pettai Village,  
Rajampettai Post, Wallajabad Taluk,  
Kancheepuram District.

..Petitioner

Vs

1. The Inspector General of Registration,  
Santhome, Chennai 600 004.
2. The District Registrar, Kancheepuram District.
3. The Sub-Registrar, Wallajabad,  
Kancheepuram District.
4. K. Kalaichelvi, W/o Kadirvelu,  
138, Karpagavinayakar Koil Street,  
Manampathi Village, Kancheepuram District.
5. Padmini @ Vetriselvi, W/o Dhanarajan,  
21, Aladi Pillayar Koil Street,  
Kancheepuram Taluk, Kancheepuram District.
6. N. Senguttuvan,  
S/o Late Narayanasamy Mudaliar, 20 AB,  
Aladi Pillayar Koil Street, Kancheepuram  
Taluk, Kancheepuram District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 29.07.2025 in Na.Ka.No. 2298/ A1 / 2025



passed by the 2nd Respondent confirming the order passed by the 3rd Respondent in Refusal Check Slip No.RFL / Wallajabad / 9 / 2025 dated 15.05.2025, quash the same and consequently direct the 3rd respondent to register the Sale Deed dated 15.05.2025 executed between the petitioner and Respondents 4, 5 and 6 at the office of the 3rd Respondent.

For Petitioner: Mr.K.V.Babu

For Respondents: Mr. U.Baranidharan, Spl.G.P. for R1 to R3

### **ORDER**

A suit for partition was filed by Kalaiselvi, Padmini @ Vetriselvi and N.Senguttuvan in O.S.No.132 of 1988. The final decree in the said suit was issued on 27.09.2022 allotting the A schedule property, as per the Advocate Commissioner's report, to the plaintiffs towards their 1/4th share. Pursuant thereto, the said plaintiffs/respondents 4 to 6 herein executed a sale deed in favour of the petitioner. Upon presentation thereof for registration, the impugned refusal check slip was issued.

2. Learned counsel for the petitioner invited my attention to the final decree and thereafter to the impugned order. He points out that the request for registration was declined by referring to the earlier registrations by the defendants in the partition suit. He submits that the said alienations pertain to the respective defendant's share in the property and not to the share purchased by the petitioner under sale deed dated 15.05.2025.

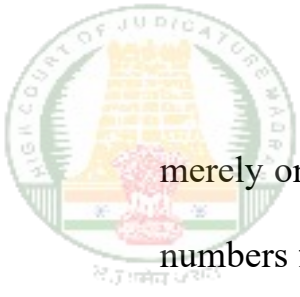


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3. Notice was ordered to the private respondents herein. Notice was served on the sixth respondent. As regards the fourth respondent, notice was returned with the endorsement 'unclaimed' and, as regards the sixth respondent, notice was returned unserved with the endorsement "no such person". These respondents are evidently the executants of sale deed dated 15.05.2025. As such, the said persons cannot object to the petitioner's request for registration.

4. Learned Special Government Pleader submits that the request for registration was declined on account of the previous registered conveyances relating to the property. He relies on the *judgment dated 28.10.2025 in W.P.No.26872 of 2025, Ramathal and three others v. The Sub-Registrar, 2025 : MHC : 2667* to contend that a person aggrieved by an order under Section 71 of the Registration Act, 1908 should lodge an appeal under Section 72 before the appellate authority and, if aggrieved by the order of the appellate authority, should file a suit under Section 77.

5. In the case at hand, the conveyance in favour of the petitioner has been effected by the private respondents pursuant to the final decree dated 27.09.2022 in I.A.No.1127 of 1993 in O.S.No.132 of 1988. In these circumstances, the registering officer should not have declined registration



merely on the basis that sale deeds were executed in respect of shares in survey numbers forming part of sale deed dated 15.05.2025.

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6. For reasons set out above, the impugned order of refusal cannot be sustained and is hereby set aside. As a corollary, the matter is remanded for reconsideration by the Sub-Registrar. Subject to fulfilment of other requirements in respect of registration, such as remittance of requisite stamp duty and registration fees, the registering officer is directed to take necessary steps for registration within two weeks from the date of re-presentation of the relevant sale deed.

7. The writ petition stands disposed of on the above terms. There will be no order as to costs.

**06-01-2026**

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

1. The Inspector General of Registration, Santhome, Chennai 600 004.

2. The District Registrar, Kancheepuram District.



3. The Sub-Registrar, Wallajabad,  
Kancheepuram District.

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**SENTHILKUMAR RAMAMOORTHY, J.**

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