



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.48993 of 2025
and W.M.P.Nos.54720 & 54725 of 2025

P.Radhakrishnan

... Petitioner

-VS-

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai 600 028.

2.The District Registrar (Administration),
Cuddalore,
Cuddalore District.

3.The Sub Registrar,
Thirunavalur,
Kallakurichi District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, call for the records relating to the orders issued by the 3rd respondent, refusal of check



slip dated 10.11.2022 in return No.01/2022, the order of the 2nd respondent dated 19.05.2023 in proceeding No.Na.Ka.No.7640/A1/2022 and the check slip dated 28.07.2025 of the 3rd respondent herein in return No.47/2025 and the order of the 2nd respondent dated 12.08.2025 in Proceeding No.Na.Ka.No.5132/A1/2025 and quash the same, further direct the 3rd respondent herein to register the settlement deed presented by the petitioner dated 28.07.2025.

For Petitioner : Mr.Venkataswamy Babu

For Respondents : Mr.U.Baranidharan,
Special Government Pleader

ORDER

On the basis of the preliminary and final decree in a partition suit (O.S.No.2 of 1999), the petitioner registered the decree pursuant to order dated 05.08.2022 in W.P.No.19936 of 2022. Thereafter, the petitioner executed a settlement deed in respect of the portion allotted to him in the partition suit in favour of his children. When presented for registration, the



request for registration was refused by order dated 28.07.2025 of the Sub Registrar. The said order was assailed before the second respondent. The second respondent rejected the appeal by recording that the petitioner should approach the jurisdictional civil Court. Both these orders are under challenge in this writ petition.

2. Learned Special Government Pleader accepts notice for all the respondents. He submits that the matter may be remanded to the second respondent for reconsideration.

3. On perusal of order dated 28.07.2025, it appears that it qualifies as a speaking order under Section 71 of the Registration Act. In view thereof, an appeal lies under Section 72 before the appellate authority. Instead of exercising appellate jurisdiction as per statute, the petitioner was directed to approach the jurisdictional civil court. Therefore, the matter warrants reconsideration. Towards that end, the impugned appellate order is set aside and the matter is remanded to the second respondent for reconsideration. After providing a reasonable opportunity to the petitioner, a speaking order shall be issued on merits within *two months* from the date of receipt of a



copy of this order. No costs. Consequently, the connected writ miscellaneous petitions are closed.

06.01.2026

rna

Index : Yes / No

Internet : Yes / No

Neutral Citation: Yes / No

To

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Cuddalore District.

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SENTHILKUMAR RAMAMOORTHY,J

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