



WEB COPY

WP No. 1718 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 1718 of 2026

1. Suseelamma

W/o.late.Ramachandra Reddy,

2. Chandra Sekar Reddy

S/o.late.Ramachandra Reddy,

3. Chithra

d/o.late.Ramachandra Reddy,

All are residing in Kothajeegur Village,

Komaranapalli Post,

Denkanikottai Taluk, Krishnagiri District.

..Petitioners

Vs

1. The Inspector General of Registration

Santhome High Road,

Mandaveli, Chennai-600 028.

2. The Sub Registrar

Sub Registrar Office

Kelamangalam, Krishnagiri District.



3. Jayama

w/o.Pappireddy,
Pyarakapalli Village,
S.Mudhukanapalli Post,
Hosur Taluk, Krishnagiri District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1st respondent to cancel the registration of preliminary decree in document No.7130 of 2025 registered in favour of the 3rd respondent on 16.07.2025 within time frame fixed by this Honourable Court.

For Petitioners: Mr. S.Chandrasekar

For Respondents: Mr.U.Baranidharan, Spl.G.P. for R1 & R2

ORDER

A partition suit in O.S.No.60 of 2014 was filed by the third respondent before the District Munsif Court, Denkanikottai. Preliminary decree dated 24.06.2024 was issued in the said suit. The said preliminary decree was registered as document no.7130/2025 on 16.07.2025. After requesting for a cancellation of such registration, the present writ petition has been filed.



2. Learned counsel for the petitioners refers to Section 21 of the Registration Act, 1908 to contend that no non-testamentary instrument relating to an immovable property should be accepted for registration unless it contains a description of such property in terms sufficient for the identification thereof. Because a preliminary decree does not satisfy this requirement, he contends that the registration is liable to be cancelled.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for respondents 1 & 2. He submits that the registering officer does not have the authority to cancel the registration and that it is always open to the petitioners to obtain an order reversing such decree before the appellate Court.

4. Section 21 of the Registration Act applies to non-testamentary documents executed by and between the parties to such documents. It is not intended to apply to the decree of a Court. The petitioners have stated that they have filed an appeal against the preliminary decree before the appellate Court. In case the petitioners were to succeed, it is always open to the petitioners to register the appellate decree or obtain a neutralising entry on that basis. At this juncture, no case is made out to cancel the registration.



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SENTHILKUMAR RAMAMOORTHY, J.

KJ

5. The writ petition stands disposed of with the above observations without any order as to costs.

03-02-2026
(2/2)

Index : Yes/No
Internet: Yes/No
Neutral Citation : Yes/No

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To

1. The Inspector General of Registration
Santhome High Road,
Mandaveli, Chennai-600 028.

2. The Sub Registrar
Sub Registrar Office
Kelamangalam, Krishnagiri District.

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