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W.P.No.5935 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.5935 of 2026
and
W.M.P. No.6455 of 2026

B.Subramaniam

.. Petitioner

VS

The Sub Registrar
Thottipalayam Thiruppur South Taluk
Tiruppur District.

.. Respondent

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records relating to the impugned order of Refusal Check Slip in Refusal Number RFL/Thottipalayam/25/2025 dated 26.11.2025 issued by the respondent and quash the same as illegal and consequently direct the respondent to register the Release Deed dated 26.11.2025.

For Petitioner : Mr.K.Devaraj

For Respondent : Mr.Stalin Abimanyu,
Additional Government Pleader



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ORDER

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Tracing title from one Mr.Mara Naicker in relation to land in Survey Nos.167 and 168 of Thottipalayam Village, Tiruppur District, the petitioner and the executants presented release deed dated 25.11.2025 before the registering officer. The request for registration was rejected under the impugned refusal check slip.

2. Learned counsel for the petitioner submits that the rejection order is liable to be set aside because the registering officer adjudicated on title and refused registration on the ground that it was not possible to determine the entitlement of the releasor.

3. Mr.Stalin Abimanyu, learned Additional Government Pleader, accepts notice for the sole respondent. He submits that the reason for rejection is that joint pattas stand in the names of 41 persons as regards Patta No.1000 and in the names of 50 persons as regards Patta No.1005.

4. Given the fact that the petitioner claims to have inherited the property and has also disclosed the details of the joint pattadars, it is necessary that notice be issued to the joint pattadars before a decision is taken. While the registering officer does not have power to adjudicate on title, as per Section 34-C of the Registration Act, the registering officer may examine whether the



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executants have the power to execute the document.

Reconsideration is, therefore, necessary to ascertain entitlement of the executants. In order to facilitate the same, the impugned refusal check slip is set aside. Consequently, the petitioner is permitted to re-present the release deed for registration. Subject to fulfillment of other requirements relating to registration, after issuing notice to the joint pattadars, the registering officer shall either register the document or issue a speaking order of refusal under Section 71 of the Registration Act, 1908. This action shall be taken within thirty days from the date of re-presentation.

5. This writ petition is disposed of on the above terms. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

26.02.2026

Index:Yes/No
Neutral Citation:Yes/No
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To

The Sub Registrar
Thottipalayam Thiruppur South Taluk
Tiruppur District.



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SENTHILKUMAR RAMAMOORTHY,J.

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