



W.P.(MD) No.2185 and 2186 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)Nos.2185 and 2186 of 2026

W.P.(MD).No.2185 of 2026

1.Selvi

2.Kayalvizhi Janaki

... Petitioners

Vs

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

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

3.The Joint Sub Registrar-II,
Sivagangai,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned Refusal Check Slip in Refusal No.RFL/2, Joint Sub Registrar, Sivagangai/2/2026 dated 08.01.2026 passed by the third respondent herein and quash the same as illegal and further direct the third respondent to register the donation / gift deed dated 07.01.2026 within a time frame to be fixed by this Court.



W.P.(MD) No.2185 and 2186 of 2026

W.P.(MD).No.2186 of 2026

1.Selvi

2.Kayalvizhi Janaki

... Petitioners

Vs

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

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

3.The Joint Sub Registrar-II,
Sivagangai,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned Refusal Check Slip in Refusal No.RFL/2, Joint Sub Registrar, Sivagangai/1/2026 dated 08.01.2026 passed by the third respondent herein and quash the same as illegal and further direct the third respondent to register the donation / gift deed dated 07.01.2026 within a time frame to be fixed by this Court.

In both writ petitions

For Petitioner : Mr.S.Srinivasaragavan,
for Mr.S.Parthiban

For Respondents : Mr.K.S.Selvaganesan,
Additional Government Pleader



W.P.(MD) No.2185 and 2186 of 2026

COMMON ORDER

WEB COPY

These writ petitions have been filed challenging the impugned Refusal Check Slips dated 08.01.2026 passed by the third respondent and to consequently direct the third respondent to register the donation / gift deed dated 07.01.2026 within a time frame to be fixed by this Court.

2. The learned counsel appearing for the petitioners would submit that, as a mandatory requirement for providing electricity service connection to an approved layout and for grant of final layout approval, the petitioners were required to transfer the land earmarked for roads and public utility purposes to the concerned local authority. Accordingly, the petitioners executed a gift deed (donation deed) dated 07.01.2026 in respect of an extent of 36.06 square metres, 2555.19 square metres towards layout roads and an additional extent of 36.19 square metres towards public utility purposes. The said gift deed was presented for registration before the third respondent on 07.01.2026 after complying with all statutory requirements and payment of applicable charges. However, the third respondent refused to register the said gift deed by issuing the impugned refusal check slips on the ground that a civil suit in O.S.No.40 of 2017 is pending on the file of the District Court in respect



W.P.(MD) No.2185 and 2186 of 2026

of Survey No.135/5. The learned counsel would further submit that the third respondent failed to consider the fact that no order of injunction or stay has been granted by any competent Civil Court restraining the registration or alienation of the subject property. It is further submitted that when certain individuals purchased the property by way of a sale deed dated 03.02.2025, a similar objection was raised by the Sub Registrar citing the pendency of the civil suit. Aggrieved thereby, certain individuals approached this Court by filing W.P.(MD).No.4751 of 2025, and this Court, by order dated 21.02.2025, directed the Sub Registrar to register the sale deed notwithstanding the pendency of the civil suit.

5. The learned Additional Government Pleader appearing for the respondents would submit that since the civil suit is pending, the registering authority was not in a position to proceed with the registration. He would fairly concede that no interim injunction has been granted by the Civil Court.

6. Considering the submissions made on either side, it is evident that the refusal check slips have been issued solely on the ground of pendency of the civil suit. In respect of the very same issue, this Court, in



W.P.(MD) No.2185 and 2186 of 2026

W.P.(MD).No.4751 of 2025 dated 21.02.2025, declined to accept the said objection and directed registration of the sale deed during the pendency of the suit.

7. In the present case, the petitioners intend to form a layout and, for the purpose of obtaining approval and for getting electricity service connection to an approved layout, are required to gift portions of the land to the local authorities towards roads and public utility purposes. When this Court has already held that mere pendency of a civil suit, in the absence of any order of injunction or stay, cannot be a ground to refuse registration, the same principle squarely applies to the present case as well.

8. In such circumstances, this Court does not find any impediment for the third respondent to register the gift deed presented by the petitioners.

9. Accordingly, the impugned Refusal Check Slips dated 08.01.2026 are set aside. The petitioners are directed to re-present the gift deed dated 07.01.2026 before the third respondent and upon such presentation, the third respondent is directed to register the same and the same will be subject to the outcome of the civil suit in O.S.No.40 of 2017 pending before the competent Civil Court.



W.P.(MD) No.2185 and 2186 of 2026

WEB COPY

10. Accordingly, these writ petitions stand allowed. No costs.

09.02.2026

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

TSG

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai-600 028.
- 2.The District Registrar (Administration),
Sivagangai,
Sivagangai District.
- 3.The Joint Sub Registrar-II,
Sivagangai,3
Sivagangai District.



W.P.(MD) No.2185 and 2186 of 2026

KRISHNAN RAMASAMY, J.

TSG

W.P.(MD)Nos.2185 and 2186 of 2026

09.02.2026