



WP(MD)No.2293 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 02/02/2026

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

WP(MD)No.2293 of 2026

R.Manivannan

... Petitioner

Vs.

The Sub Registrar,
Office of the Sub Registrar,
Settikulam (Madurai North),
Madurai District.

... Respondent

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned refusal order passed by the respondent in Refusal No.RFL/Settikulam(Madurai North)/169/2025 dated 28.11.2025 and quash the same and direct the respondent to register the deed of sale agreement dated 25.11.2025 executed in favour of petitioner and presented by petitioner without insisting to get an order from the civil court, within the time stipulated by this Court.

For Petitioner : Mr.R.Mathiyalagan

For Respondent : Mr.M.Lingadurai

Special Government Pleader



WP(MD)No.2293 of 2026

WEB COPY

ORDER

The prayer in this writ petition is to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned refusal order passed by the respondent in Refusal No.RFL/Settikulam(Madurai North)/169/2025 dated 28.11.2025 and quash the same and direct the respondent to register the sale agreement dated 25.11.2025 executed in favour of petitioner and presented by petitioner without insisting to get an order from the civil court, within a time frame.

2. Learned counsel for the petitioner would submit that property in U.D.R, re-survey number 258/2, new survey number 117/2 an extent of 1 Acre, 34 Cents of Sirudhtir Village of Thiruppalai Group, Madurai District, was originally purchased in a court auction held on 24.01.1938 on the basis of the order passed in E.P.No.275 of 1936 in O.S.No.77 of 1933 on the file of the Madurai Sub Court, by the grandfather of petitioner's vendors



WP(MD)No.2293 of 2026

namely, Late.Thiraviyam Pillai. After the demise of the said Thiraviyam Pillai, the property devolved upon his wife, Ponnammal. Since they had no biological children, during her lifetime, while she was in possession and enjoyment of the property, she adopted Kalyanasundaram as a foster son and executed a Settlement Deed in his favour vide Document No. 386/1946. After the demise of Kalyanasundaram on 13.07.1959, the property devolved, by succession, upon his wife Sundarambal and daughter Shanmugavadivu. After Sundarambal died on 29.11.2005, the property devolved upon Shanmugavadivu, the sole heir of Kalyanasundaram and Sundarambal. After the demise of Shanmugavadivu on 09.05.2021, the property devolved upon the following five persons namely 1) N.Thiagarajan, 2) J.Shanthi, 3) Selvaraj, 4) Balamurugan and 5) Indirani, who are husband, two daughters and two sons of Shanmugavadivu. The above said 5 persons decided to sell the above property to the petitioner and in token thereof, they agreed to register the sale agreement in respect of the above property, prepared a sale agreement and submitted



WP(MD)No.2293 of 2026

the same to the office of the respondent. But the first respondent returned the said sale agreement dated 25.22.2025 refusing to register and issued the impugned refusal check slip on 28.11.2025 directing them to obtain an order from the civil court regarding the right of their vendors. Hence, this writ petition.

3. Learned Special Government Pleader would submit that there are various entries in the encumbrance register of the subject property. In the year 1956, one Rengammal purchased the property from Mayandi Kothanar and on her demise, her son Munusamy Naidu inherited the property and he mortgaged and redeemed the property in the year 1981 and 1986 respectively. Thereafter, one Dilip Kumar executed a general power of attorney in favour of one Raju in 2016 and now the son of Munusamy Naidu namely, Narasimmalu decided to file civil suit in respect of the subject property. From the above entries, the respondent is unable to trace the title of the petitioner's vendors and therefore, the impugned refusal check slip has rightly been issued which



WP(MD)No.2293 of 2026

does not require any interference by this Court.

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4. Heard both sides and perused the materials available on record.

5. In the present case, the subject property was purchased by Thiraviyam Pillai through court auction in the year 1938. On the petition filed by the petitioner's vendors, the District Revenue Officer, Madurai, after carefully considering the revenue records, has passed the order dated 26.12.2024 directing to mutate revenue records in the names of the petitioner's vendors. Such being the case, the vendors of the subject property who obtained the same by succession, are entitled to sell the property. By virtue of the order of the District Revenue Officer, Madurai, dated 26.12.2024, the sale executed by Mayandi Kothanar in 1956 to Rengammal and the subsequent transactions have no legal sanctity, as by virtue of court auction in 1938, the said Mayandi Kothanar himself ceased to be the owner of the property in 1938



WP(MD)No.2293 of 2026

itself, as such, he cannot alienate the very same property in 1956 to Rengammal. Thus, there is no impediment for the respondent to register the sale deed in favour of the petitioner.

6. Accordingly, the impugned refusal order passed by the respondent in Refusal No.RFL/Settikulam(Madurai North)/169/2025 dated 28.11.2025, is set aside and the petitioner is directed to re-present the document forthwith to the respondent. On such re-presentation, the respondent is directed to register the document forthwith.

7. With the above direction, the Writ Petition is allowed.
No costs.

02.02.2026

Index : Yes / No
Neutral Citation : Yes / No
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6/8



WP(MD)No.2293 of 2026

The Sub Registrar,
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WEB COPY



WP(MD)No.2293 of 2026

KRISHNAN RAMASAMY, J.

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ORDER MADE IN
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DATED : 02.02.2026