



W.P.(MD) No.4899 of 2026

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 23.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.4899 of 2026

M/s. Shunmuga Salt Private Limited,
D.No.70E,
Subramaniapuram,
Thoothukudi Corporation-628 002,
Thoothukudi District,
Represented by its Director,
G.Kumaran

... Petitioner

Vs

The Sub Registrar,
Kadaladi,
Ramanathapuram District.

... Respondent

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 Numner : RFL/Kadalady-Ramanathapuram/2/2026, dated 27.01.2026 issued by the respondent and quash the same as illegal and consequently to direct the respondent to register the document submitted by the petitioner with regard to property comprised in Survey No.193/1, measuring 7.40.50 hectares, situated in Melakidaram Village, Kadaladi Taluk, Ramanathapuram District, within a time fixed by this Court.



W.P.(MD) No.4899 of 2026

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.M.Lingadurai,
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned Refusal Check Slip in Refusal Number RFL/Kadalady-Ramanathapuram/2/2026 dated 27.01.2026 issued by the respondent and consequently seeking a direction to the respondent to register the document submitted by the petitioner in respect of the property comprised in Survey No.193/1, measuring 7.40.50 hectares, situated at Melakidaram Village, Kadaladi Taluk, Ramanathapuram District, within a time to be fixed by this Court.

2. Mr.M.Lingadurai, learned Special Government Pleader, takes notice for the respondent.

3. The learned counsel appearing for the petitioner submitted that certain private parties have been claiming right over the subject property. In that regard, one Villiyappa Devar filed a suit in O.S.No.13 of 1991 before the Sub Court, Ramanathapuram, seeking partition. The said suit was dismissed on 30.09.1992, wherein it was held that the property



W.P.(MD) No.4899 of 2026

belongs to Villayuda Devar. Pursuant to the judgment, the Tahsildar, by proceedings dated 28.08.1992, issued Patta No.1010 in the name of Villayuda Devar. Aggrieved by the dismissal of the suit, the said Villiyappa Devar preferred an appeal in A.S.No.939 of 1994, which was also dismissed on 12.02.2007. A restoration petition filed thereafter was dismissed on 03.07.2025. Thus, the judgment and decree in O.S.No.13 of 1991 have attained finality. It is further submitted that, in the meantime, the legal heirs of Villiyappa Devar instituted another suit in O.S.No.15 of 2021, which is presently pending adjudication. During the pendency of the said suit, they allegedly managed to have the patta transferred to their names. Hence, the legal heirs of Villayuda Devar filed a petition before the Sub Collector, Paramakudi, seeking removal of the name of Velusamy Devar, s/o Villiyappa Devar, which had been wrongly entered in the revenue records, and for restoration of the patta in the name of Villayuda Devar. The said petition came to be dismissed on 08.12.2023 citing the pendency of O.S.No.15 of 2021. It is also submitted that another petition is pending before the Revenue Divisional Officer. Thereafter, due to financial constraints, the legal heirs of Villayuda Devar executed a sale deed in favour of the petitioner's father in respect of the above property, enclosing the certified copies of the judgments,



W.P.(MD) No.4899 of 2026

SLR extract, A-Register extract standing in the name of Villayuda Devar and Patta No.1010 issued under proceedings dated 28.08.1992. The document was presented for registration before the respondent. However, the respondent refused to register the same on the ground that the property stands in the name of Velusamy Devar, who is stated to be the father of the plaintiff in O.S.No.15 of 2021.

4. The learned Special Government Pleader appearing for the respondent submitted that since O.S.No.15 of 2021 is pending, the respondent is not in a position to register the document.

5. This Court has considered the submissions made on either side. The title to the property had already been adjudicated in O.S.No.13 of 1991, which has attained finality upon dismissal of the appeal and the restoration petition. When the Civil Court decree has reached finality, the registering authority cannot refuse registration merely on the ground that a subsequent suit is pending, especially when no order of injunction or prohibitory order has been produced.



W.P.(MD) No.4899 of 2026

6. The pendency of O.S.No.15 of 2021, by itself, cannot be a ground to refuse registration of a document, unless there exists a specific order restraining alienation or registration. The registering authority is not expected to adjudicate title disputes and is bound to act in accordance with the provisions of the Registration Act.

7. In such circumstances, the impugned Refusal Check Slip dated 27.01.2026 is liable to be set aside.

8. Accordingly, the impugned refusal check slip is set aside. The petitioner is directed to re-present the sale deed dated 27.01.2026 before the respondent. Upon such re-presentation, and if the document is otherwise in order and there is no subsisting prohibitory order from any competent Court, the respondent shall register the same forthwith in accordance with law.

9. With the above directions, this Writ Petition stands allowed. No costs.

23.02.2026

TSG
Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No



W.P.(MD) No.4899 of 2026

To
The Sub Registrar,
Kadaladi,
Ramanathapuram District.



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W.P.(MD) No.4899 of 2026

KRISHNAN RAMASAMY, J.

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W.P.(MD)No.4899 of 2026

23.02.2026