



Cont.P.(MD)No.588 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Cont.P.(MD)No.588 of 2026

K.Muthu Mohamed

... Petitioner

Vs.

Soosaidass,
The Sub Registrar,
Office of the Sub Registrar,
Thiruppathur,
Sivagangai District.

... Respondent

Prayer:- Contempt Petition is filed under Section 11 of Contempt of Courts Act, praying to punish the contemnor / respondent and punish him for the wilful disobedience of the order of this Court in W.P.(MD)No.2011 of 2026, dated 29.01.2026 under the Contempt of Courts Act.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondent : Mr.A.Baskaran
Additional Government Pleader

ORDER

The contempt petition has been filed alleging wilful disobedience of the order passed in W.P.(MD)No.2011 of 2026.



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2. By order dated 29.01.2026, the said writ petition was disposed of on the following terms:-

"5.Considering the submission made by the learned Counsels, in the event of presentation of any sale deed with regard to the subject survey number, this Court directs the second respondent to consider the petitioner's objection letters dated 08.09.2025 and 06.01.2026, by issuing notice to the petitioner as well as other interested parties, hear them and thereafter pass orders in accordance with law.

6.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs."

3. Complaining of wilful disobedience of the order, the present contempt petition has been filed. In the course of hearing, the learned Additional Government Pleader, upon notice, produced the following documents:-

*"(i) A notice issued by the respondent dated 09.01.2026
(ii) A notice issued by the respondent dated 29.01.2026
(iii) Patta No.8401 with respect to S.No. 228/1
(iv) The status of the case in O.S. No. 80 of 2012
(v) A Circular of the Inspector General of Registration in Na.Ka. No. 39708/C1/2018, dated 04.10.2018"*

4. It is the case of the respondent that, upon receipt of objections from the petitioner, a notice dated 09.01.2026 was issued calling upon the petitioner to



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appear for enquiry on 28.01.2026. The petitioner appeared on the said date and submitted his objections. After considering the same, orders were passed on 29.01.2026 rejecting the petitioner's objections, stating that mere pendency of a suit cannot be a ground to refuse registration of a document. However, on the very same day, when the writ petition was taken up for hearing before this Court, the said development was not brought to its notice, and the writ petition came to be disposed of at the admission stage. Therefore, it is contended that since the objections of the petitioner were duly considered, there is no wilful disobedience.

5. The learned counsel for the petitioner further submitted that, even subsequent to the order, and with due notice thereof, the document has been registered. It is contended that such action amounts to wilful disobedience, especially when no application has been filed seeking clarification or review of the order dated 29.01.2026.

6. I have considered the rival submissions made on either side and perused the materials on record.



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7. It is true that this Court had directed consideration of the petitioner's objections after affording him an opportunity of hearing. It is stated that, as on the relevant date, such an opportunity had already been granted and final orders on the objections had been passed on 29.01.2026. In any event, it is the case of the petitioner that he is the owner of the property and that he has already instituted a suit in O.S.No.80 of 2012 on the file of the Principal District Munsif-cum-Judicial Magistrate Court, Thiruppathur.

8. It is now well settled that mere pendency of a civil suit is not a bar for the Sub-Registrar to register a document. It is for the petitioner to obtain appropriate interim orders in the pending suit. It is also submitted that the said suit has been dismissed for default and that the petitioner has filed an application for its restoration.

9. In view of the above, as the rights of the parties are yet to be finally adjudicated in the suit, I do not find any wilful disobedience of the order dated 29.01.2026 on the part of the respondent.



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10. Accordingly, while leaving it open to the petitioner to work out his remedies in the said suit, this contempt petition stands closed.

20.04.2026

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To:-

Soosaidass,
The Sub Registrar,
Office of the Sub Registrar,
Thiruppathur,
Sivagangai District.



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D.BHARATHA CHAKRAVARTHY, J.

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