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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.6206 of 2026

Vijayaraja

... Petitioner

Vs.

1.The Sub-Registrar,
Office of the Sub-Registrar,
Pothumbu,
Madurai District.

2.Grohum Housing Finance Limited,
Rep by the Authorised Officer,
Baskaran,
S/o.Soundararajan,
No.4-1-82, MGR Illam,
Anna Nagar, Vadamadurai Post,
Dindigul District-624802.

...Respondents

Writ Petition is 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 passed by the 1st respondent in Refusal No.RFL/Pothumbu/16/2026 dated 16.02.2026 and quash the same as illegal and arbitrary and consequently direct the 1st respondent to file the sale certificate dated 16.02.2026 presented by the 2nd respondent in Book No.1 under Section 89(4) of the Registration Act, 1908, without insisting stamp



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duty and within the time frame as may be fixed by this Court.

For Petitioner
For Respondent

:Mr.A.Balaji
:Mr.F.Deepak
Special Government Pleader

ORDER

This writ petition is filed challenging the impugned order dated 16.02.2026, the same is a refusal check slip issued in respect of the sale certificate presented for filing by the petitioner.

2.The petitioner is the purchaser of the property under the SARFAESI Act and the sale certificate was issued and the same is now being presented for filing as per the procedure. The same is now rejected on the ground that the relevant documents were not produced.

3.When the matter came up for hearing, written instructions were placed on record by the learned Special Government Pleader and submitted that the stamp duty paid is not adequate and there is no proof for purchasing the property in an auction. The auction was not properly advertised and the parent document was not produced.

4.In reply thereof, the learned counsel for the petitioner would submit that the parent documents were duly produced. As far as the reasons that



there is no advertisement and proof with reference to the auction purchase etc., the same are beyond the domain of the sub-register and need not be gone into by the sub-registrar. The sub-registrar is not the Debt Recovery Tribunal acting on behalf of the debtor. As far as the stamp duty and the registration charges are concerned, the same is not mentioned in the refusal slip, if any additional duty is claimed, it should be claimed in the manner known to law and it will be for the petitioner to contest the same.

5. With the above observations, the impugned check slip dated 16.02.2026 stands quashed. Let the petitioner re-present the sale certificate for registration and the same shall be considered in accordance with law and appropriate orders be passed. Hence, this Writ Petition stands allowed. No costs.

09.03.2026

NCC:Yes/No

Ns

To

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Dindigul District-624802.

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D.BHARATHA CHAKRAVARTHY, J.

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