



W.P.(MD) No.8685 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.8685 of 2026

and

W.M.P.(MD) No.7016 of 2026

Kulanthaivel

... Petitioner

Vs.

The Sub Registrar,
Joint 2 Sub Registrar Office,
Sivagangai,
Sivagangai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned refusal check slip in Refusal Number RFL/2 No. Joint Sub Registrar Sivagangai/16/2026 dated 12.03.2026 issued by the respondent and quash the same and consequently direct the respondent to register the Settlement Deed as presented by the petitioner dated 12.03.2026 within a time frame as may be fixed by this Court.

For Petitioner : Mr.K.Jeyamohan

For Respondent : Mr.D.S.Nedunchezian
Government Advocate



W.P.(MD) No.8685 of 2026

ORDER

This Writ Petition is filed challenging the impugned refusal check slip dated 12.03.2026 and seeking a direction to the respondent to register the settlement deed.

2. The case of the writ petitioner is that the petitioner purchased the property from one Malliga and Chandra and the sale was effected through their power of attorney agent. On the same day, two documents were presented for registration. The principals presented a document cancelling the power of attorney immediately after the presentation of the sale deed in favour of the petitioner.

3. However, though both documents were presented on the same day, instead of registering the sale deed as the first document and the cancellation of the power of attorney as the second document, due to an error, the cancellation of the power of attorney was registered as Document No.1746 of 2013, whereas the sale deed was registered as Document No.1749 of 2013.



W.P.(MD) No.8685 of 2026

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4. Be that as it may, subsequently, the said vendors as well as the power of attorney agent have passed away. After the registration of the sale deed in favour of the petitioner, the petitioner has been in possession and enjoyment of the property and there is no objection from any third party whatsoever.

5. While so, when the petitioner executed a settlement deed, the same is refused to be registered by the respondent *vide* the impugned refusal check slip.

6. Mr.D.S.Nedunchezian, learned Government Advocate, taking notice on behalf of the respondent, would submit that the petitioner's parent deed itself is defective, inasmuch as, at the time of registration of the sale deed, the power of attorney was not in force and therefore, the impugned refusal check slip has been issued.

7. I have considered the rival submissions made on either side and perused the material records of the case.



W.P.(MD) No.8685 of 2026

8. There is no dispute that both the said documents were presented on the same day. Therefore, when there is no rival claim that the power of attorney was intended to be cancelled even before the sale deed in favour of the petitioner, the Sub Registrar cannot now undo the registration of the said document indirectly by passing the impugned refusal check slip. So long as the sale deed in favour of the petitioner was registered in the year 2013 and there is no third-party or rival claim, the impugned refusal check slip cannot be sustained.

9. In view thereof, this Writ Petition is allowed on the following terms:

- i. The impugned refusal check slip dated 12.03.2026 shall stand set aside.
- ii. Within two weeks from the date of receipt of a web copy of this order, the petitioner shall re-present the settlement deed, upon which the same shall be registered, if there is no other impediment.
- iii. The petitioner shall also file a notarized affidavit stating that both the vendor and the power of attorney agent are no more.



W.P.(MD) No.8685 of 2026

iv. No costs. Consequently, the connected Miscellaneous

WEB COPY Petition is closed.

01.04.2026

JEN

Neutral Citation : No

To

The Sub Registrar,
Joint 2 Sub Registrar Office,
Sivagangai,
Sivagangai District.



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W.P.(MD) No.8685 of 2026

D.BHARATHA CHAKRAVARTHY, J.

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W.P.(MD) No.8685 of 2026

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