

W.P(MD)No.9190 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 09.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.9190 of 2026

Ramanathan

... Petitioner

Vs.

1. The Sub Registrar,
Office of the Sub Registrar Office,
Devakottai,
Sivagangai District.

2. Vijayalakshmi

3. Rajendran

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS or any other Writ or direction in the nature of Writ, to call for the records pertaining to the Impugned Refusal Check Slip in RFL/ Devakottai/10/2026, dated 19.01.2026 issued by the 1st respondent and quash the same and consequently direct the 1st respondent to register the sale deed, dated 19.01.2026, presented by the petitioner, within the time that may be stipulated by this Honble Court and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.



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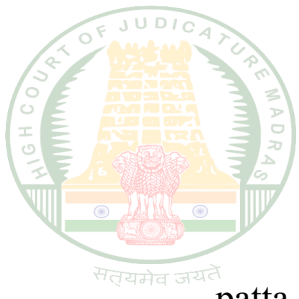
For Petitioner	: Mr.V.Neelakandan
For R1	: Mr.R.Parthiban Government Standing Counsel
For R2	: Mr.B.Muruganandam

ORDER

The writ petition is filed challenging the impugned refusal check slip dated 19.01.2026.

2. When the petitioner presented a Sale Deed for registration, the same was refused. Upon consideration of the case put forth by the parties, it is seen that the petitioner claims title to the property by stating that the property originally belonged to one Vallimayil, daughter of Ramayee under a registered Sale Deed bearing Document No. 1273 of 1970. After her demise, the property devolved upon her daughter, namely, Vallimayil.

3. It is the case of the petitioner that during the UDR survey, Survey No. 56/7 was wrongly subdivided and patta was erroneously issued in the name of the third respondent. On the strength of the said



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patta issued in the year 2017 along with several other properties, the 3rd respondent settled the property in favour of the second respondent, his wife. Subsequently, he executed a Release Deed acknowledging the rights of the said Vallimayil, which was registered as Document No. 2526 of 2007. On the strength of the same, when Vallimayil executed a Sale Deed in favour of the petitioner, registration of the said document was refused on the basis of objections raised by the 2nd respondent.

4. The learned counsel for the petitioner would submit that, although the 2nd respondent has filed a civil suit in O.S. No. 82 of 2026 against her husband and the petitioner's vendor, Vallimayil, no order of interim injunction has been granted therein. Therefore, the Sub-Registrar ought not to have refused registration of the document.

5. The learned Additional Government Pleader would submit that, since a rival claim has been made by the second respondent in respect of the very same property, the refusal check slip was issued after considering the objection raised by her.



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6. The learned counsel appearing on behalf of the 2nd respondent would submit that the 2nd respondent and her husband have now fallen apart. The 2nd respondent has filed O.S. No. 82 of 2026 against her husband as well as Vallimayil. According to the second respondent, once Rajendran had divested himself of title by executing a Settlement Deed in favour of his wife on 31.07.2007, he could not thereafter claim any right over the property or execute a subsequent Release Deed in favour of Vallimayil.

7. It is further contended that the subsequent document has no legal effect whatsoever. Therefore, the objection submitted by the second respondent was rightly considered, and the refusal check slip issued by the Sub-Registrar constitutes a valid exercise of power warranting no interference by this Court. It is also submitted that, if the petitioner claims any independent title, he may work out his remedies by getting himself impleaded in the pending suit in O.S. No. 82 of 2026.



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

9. Upon consideration of the case of the parties, it is evident that the dispute essentially relates to the entitlement of the parties to execute the documents in question, and more particularly, the entitlement of Rajendran, the 3rd respondent herein, to have executed the Release Deed. It is the contention of the petitioner that the said document merely acknowledged the mistake that had occurred during the UDR updation process and that mere registration of a document would neither create title nor divest Vallimayil of her existing title.

10. Per contra, the learned Government Standing Counsel appearing for the first respondent would submit that the Settlement Deed executed in favour of the wife is the earlier document and that, once title had been transferred thereunder, Rajendran could not have subsequently asserted any right over the property or executed a further deed. Therefore, according to the respondents, the matter involves a serious dispute regarding the entitlement of the parties to execute the



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documents. As held by the Hon'ble Supreme Court of India in Asset Reconstruction Company (India) Ltd. (ARCIL) v. S.P. Velayutham and Others, Civil Appeal Nos.2752-2753 of 2022, disputes relating to the entitlement of parties and questions of title fall outside the domain of the Sub-Registrar and must be adjudicated by the competent Civil Court.

11. Admittedly, O.S. No. 82 of 2026 is pending. The 2nd respondent, whose name is shown as Vijay Kumari in the said suit, as well as the petitioner, may take appropriate steps to implead the necessary parties, whereupon the issues can be effectively adjudicated between the parties.

12. In the meanwhile, since the dispute relates to title, and in view of the dictum laid down by the Hon'ble Supreme Court of India in ***K. Gopi v. The Sub-Registrar and Others***, (Civil Appeal No.3954 of 2025), the refusal of registration cannot be sustained. However, it is made clear that registration of the document by itself will not confer any title that does not otherwise exist in law, and the rights of the parties shall ultimately be governed by the outcome of the pending civil suit.



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13. In view thereof, the writ petition is ordered on the following terms:-

- i. The impugned refusal check slip dated 19.01.2026 shall stand set aside.
- ii. Within a period of three weeks from the date of receipt of a web copy of the order, the petitioner is directed to present the document before the 1st respondent.
- iii. Upon representation of the document, the same shall be registered, if there is no other impediment.
- iv. The second respondent is at liberty to file an application to implead the petitioner as a defendant in O.S. No. 82 of 2026, pending on the file of the learned District Munsif, Devakottai. The parties shall be bound by the final outcome of the said suit.
- v. No costs.

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Neutral Citation: No
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D.BHARATHA CHAKRAVARTHY, J.

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To

The Sub Registrar,
Office of the Sub Registrar Office,
Devakottai,
Sivagangai District.

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