



W.A. (MD) No. 602 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

and

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A.(MD) No.602 of 2026

and

C.M.P.(MD)No.5755, 5756 and 5757 of 2026

K.Soundararajan

... Appellant

-VS-

- 1.The Deputy General of Registration,
Trichy District, Trichy.
- 2.The District Registrar,
Office of the District Registrar,
Trichy District, Trichy.
- 3.The Sub Registrar,
Office of the Sub Registrar,
Thiruverumbur,
Trichy District.
- 4.Kaethai @ T.Veeramani
- 5.S.Latha
- 6.A.M.Ashokan

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7.S.V.Saravanan
8.S.S.Ravanan

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed by this Court in W.P.(MD)No.19768 of 2025 dated 24.03.2026.

For Appellants : Mr.T.Mohan
Senior Counsel
for Mr.A.Haja Mohideen
For Respondent : Mr.F.Deepak (R1 to R3)
Special Government Pleader
Mr.S.Vikram (R7)
for Mr.Akhilesh Sudhakar

JUDGMENT

(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge dismissing the writ petition filed by the appellant questioning the refusal check slip issued by the Sub Registrar, the present writ appeal has been filed.

2.The appellant/writ petitioner presented the sale agreement dated 30.06.2025 in respect of the property in Survey No.310/5 at Navalpattu



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WEB COPY Village, Tiruverumbur Taluk, Tiruchirappalli District. The same has been refused to be registered on the ground that there is a title dispute.

3.The learned Senior Counsel for the appellant submitted that the appellant has acquired title over the subject property by way of the decree in O.S.No.362 of 2021 filed for recovery of money. The original mortgagor is no more. Based on the said decree, the appellant has executed sale agreements with regard to the subject property. He would further submit that the Sub Registrar has no authority to go into the issue of title. However, citing the title dispute, the Sub Registrar has refused to register the document. The learned Single Judge, without considering this aspect, has dismissed the writ petition. Hence, the appellant has come up with this appeal.

4.The learned counsel for the seventh respondent submits that the appellant obtained the decree from the civil Court fraudulently. Challenging the same, a suit has been filed in O.S.No.67 of 2026 before the Second Additional Court, Trichy.



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5. We have heard the learned counsel appearing on either side and perused the entire materials placed on record.

6. As regards the issue of the Sub-Registrar entering into questions of title at the time of registration, the legal position is well settled in the case of *Subramani vs. Sub Registrar and others [WP.No.11056 of 2024 dated 26.04.2024]*, wherein this Court has elaborately considered the scope of such authority.

7. In the present case, both parties are claiming title over the property. The private respondent has also not established title. In fact, they have filed a writ petition in W.P.(MD) No. 15931 of 2025 seeking removal of an entry in the Encumbrance Certificate relating to Survey No. 310/5, measuring an extent of 5 acres and 83 cents. While disposing of the said writ petition, this Court directed the parties, particularly the private respondent therein, to establish the civil rights before the competent civil court.



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8. Therefore, it is evident that both parties are litigating to establish title, and no conclusive title has been determined in favour of anyone. In such circumstances, the Sub-Registrar cannot adjudicate upon the issues of title at the time of registration.

9. The appellant appears to have obtained a civil court decree in his favour. In this context, the learned Single Judge was not justified in dismissing the writ petition in entirety. It is settled law that mere registration of an agreement of sale does not create any title or interest over the immovable property. Admittedly, civil suits are pending between the parties. Therefore, any agreement registered shall always be subject to the outcome of those suits. The doctrine of *lis pendens* adequately safeguards the interests of the parties.

10. In view of the above, the impugned order passed by the learned Single Judge is set aside. The Sub Registrar is directed to register the sale agreement presented by the appellant herein. It is made clear that such registration will not confer any absolute right or create any interest over the immovable property and



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it is always subject to the result of the pending suit, in which the appellant is also a party.

11. With these observations, the writ appeal is allowed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

[N.S.K.,J.] [M.J.R.,J.]
24.04.2026

NCC : Yes / No
Index : Yes / No
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