



W.P(MD)No.15331 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 08.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.15331 of 2026

and

W.M.P(MD)Nos.11482 and 11485 of 2026

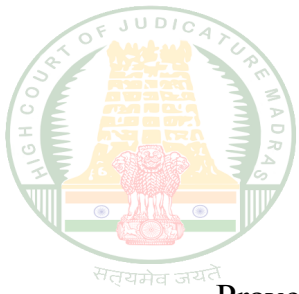
1. Gnanasekar
2. Shanmugam
3. A.Savitha
4. Jeyaguru
5. Mani Megalai
6. Parimala
7. Saroja

... Petitioners

Vs.

1. The District Collector,
O/o. The District Collector,
Dindigul District.
2. The Joint Sub Registrar No.I,
O/o. The District Registrar,
Pazhani,
Dindigul District.
3. The District Registrar,
O/o. The District Registrar,
Pazhani,
Dindigul District.

...Respondents



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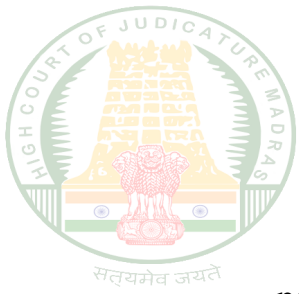
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for records relating to the Refusal Number RFL/1 Joint Sub Registrar No I Palani/26/2026 dated 11.03.2026 and quash the same as illegal and Direct the Respondent No.2 to register the document presented by the Petitioners in respect of the subject property without reference to the findings in O.S.No.265/2014, in light of the similar order passed by this Honble Court in W.P(MD).No.24895 of 2024 dated 21.10.2024 in same Survey Number and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioners	: Mr.S.M.A.Jinnah
For R1 to R3	: Mr.R.Parthiban Government Standing Counsel

ORDER

The present writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for records relating to the Refusal Number RFL/1 Joint Sub Registrar No I Palani/26/2026 dated 11.03.2026 and quash the same as illegal and Direct the Respondent No.2 to register the document presented by the Petitioners in respect of the subject property without reference to the findings in O.S.No.265/2014, in light of the similar order



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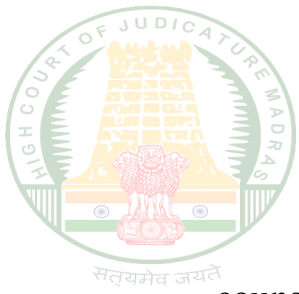
passed by this Honble Court in W.P(MD).No.24895 of 2024 dated 21.10.2024 in same Survey Number and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.”

2. Heard Mr.S.M.A.Jinnah, learned counsel appearing for the petitioners and Mr.R.Parthiban, learned Government Standing Counsel who takes notice on behalf of the respondents 1 to 3.

3. The objection raised by the Registry, though valid insofar as the petitioner is required to implead the other private parties, is overruled in view of the earlier order passed by this Court in W.P.(MD) No. 24895 of 2024. The said writ petition also related to the very same survey numbers and the same issue, wherein the subject property had been divided and sold to several persons.

4. In the said case, this Court passed an order without impleading the private respondents as parties to the proceedings.

5. In view thereof, the objection relating to maintainability is overruled. As far as the merits of the case are concerned, the learned



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counsel would submit that it is true that, in O.S. No. 265 of 2014, the parent document, namely the partition deed, was held to be invalid. However, the suit itself came to be dismissed. This Court had earlier considered the effect of the said decree and observed that unless the daughter claiming a share in the property files a suit for partition and only to the extent of the share that may stand divested from the petitioner's vendor, the sale would not become invalid. With the said observations, this Court directed the Sub-Registrar to register the sale deeds.

6. The learned Government Standing Counsel appearing on behalf of the respondents is unable to distinguish the order passed in W.P.(MD) No. 24895 of 2024 from the present case, as the facts and circumstances are identical. Since the matter pertains to the very same document and arises out of the very same judgment and decree passed in O.S. No. 265 of 2014, this writ petition is liable to be allowed on the same terms.



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7. Paragraph 6 and 7 of the order in W.P.(MD)No.24895 of 2024

dated 21.10.2024, is extracted here under for ready reference.

“6. Be that as it may, the petitioners' predecessors purchased the subject property on the basis of the allotment made to one of the co-owners, namely Rajendran vide partition deed dated 14.02.1986. Based on that purchase, it appears that a layout has already been developed and the property has been dealt with. Several purchasers including the petitioners have purchased the property to an extent of 3 to 5 cents each. Therefore, even assuming that there was no valid partition, this Court is of the view that it cannot be a ground to be a total bar to sell all the properties. Such being the position, as long as no partition suit is filed by the other co-owner in respect of the property already dealt with and purchased by several persons, those persons cannot be denied their right of enjoyment of their property. It is for the concerned parties to claim necessary partition before the competent civil Court. The petitioners having purchased the properties long back, they are entitled to claim equity even in the event of shares have been allotted to the first defendant in the suit in O.S.No.265 of 2014.

7. In such view of the matter, this writ petition is allowed and the order passed by the second respondent dated 12.08.2024 is set aside. The second respondent is directed to continue the registration of the subject properties. No costs. Consequently, connected miscellaneous petitions are closed.”



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8. In view thereof, this writ petition is allowed on the following terms:-

- i. The impugned order dated 11.03.2026 is set aside.
- ii. within three weeks from the date of receipt of the web copy of the order the petitioner shall represent the document and if there is no other impediment, the same shall be registered.
- iii. No costs. Consequently, connected miscellaneous petitions are closed.

08.06.2026

Neutral Citation: No
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D.BHARATHA CHAKRAVARTHY, J.

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