



W.P.(MD)No.13389 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.04.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.13389 of 2026

P.Raman

.. Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Theni.

2.The Sub-Registrar,
Andipatti Sub-Registrar Office,
Theni District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Refusal check slip by its Refusal No. RFL/Andipatti/5/2026 issued by the 2nd respondent dated 20.04.2026 and quash the same as unlawful and unsustainable consequently directing the 2nd respondent to register the release deed dated 16.04.2026 as and when the same is presented by the petitioner.

For Petitioner : Mr.S.Kishore Kumar

For Respondents : Mr.M.Gangatharan
Government Advocate



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ORDER

The writ petition is filed challenging the impugned refusal check slip dated 20.04.2026.

2. When the petitioner presented a release deed for registration in favour of his brother, the same was refused on the ground that the petitioner do not have any document of title both by way of title deeds or by way of revenue documents.

3. The learned counsel for the petitioner submits that the property originally stood in the name of one Govindarasulu Naidu. Even today, the revenue records are in the same name and is not even mutated thereafter. It is further submitted that the petitioner's mother purchased the property by way of an unregistered sale deed on 29.06.1942, inasmuch as the value of the property was less than Rs.100/-, that is, the sale was only for a sum of Rs.90/-. It is stated that the petitioner's mother is working as menial in a burial ground. On account of her very little knowledge, she did not take steps to have the revenue records mutated.



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4. In view thereof, though the said parent document has been produced, it is not being considered by the Sub Registrar.

5. The learned Government Advocate appearing for the respondents submits that when there is no registered parent document or the revenue records in favour of the petitioner, the document cannot be registered.

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

7. Compulsory registration is mandatory only for properties valued at Rs. 100/- and above. If the document of sale which is less than Rs.100/- is presented, the same cannot be rejected merely because it is unregistered. Therefore, when the petitioner produces the original unregistered sale deed, the same can be looked into by the respondents. This apart, for the long possession of the petitioner, there is also property tax which evidences the possession and enjoyment of the property by the petitioner. When the mother is said to have purchased the property from one Govindarasulu Naidu, mere non-mutation of the records alone the document cannot be rejected. It must be noted that there is no rival claim objections.



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

(i) The impugned refusal check slip, dated 20.04.2026, shall stand set aside and the matter is remanded back to the file of the second respondent.

(ii) Within two weeks from the date of receipt of a web copy of the order, the petitioner shall represent the document, along with an affidavit stating that the petitioner's mother had purchased the unregistered deed and that Govindarasulu Naidu was the vendor of the mother and there is no other rival claimant in respect of the property. Upon receipt thereof, if there is no other impediment, the document shall be registered. No costs.

29.04.2026

am
NCC: No

To

1. The District Registrar,
District Registrar Office,
Theni.
2. The Sub-Registrar,
Andipatti Sub-Registrar Office,
Theni District.



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D.BHARATHA CHAKRAVARTHY, J.

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