



W.P.(MD)No.14459 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.14459 of 2026

Rajapriya

... Petitioner

-VS-

The Sub Registrar,
O/o.Sub Registrar Office,
Theni,
Theni District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Refusal Check Slip in Refusal Number.RFL/Theni/5/2026 issued by the respondent dated 25.02.2026 and quash the same as illegal and consequently direct the respondent to register the certificate of sale (for Immovable Property) within time frame as fixed by this Court.

For Petitioner : Mr.A.C.Asaithambi

For Respondent : Mr.R.Parthiban
Counsel for the Government of Tamil Nadu



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ORDER

The writ petition has been filed challenging the impugned Refusal Check Slip.

2. Upon hearing the learned counsel for the petitioner and perusing the materials available on record, it is seen that the petitioner is the auction purchaser of the subject property under the SARFAESI Act. A Sale Certificate has been issued in favour of the petitioner under Rule 9(6) read with Appendix V and Annexure XII of the Security Interest (Enforcement) Rules, 2002.

3. When the petitioner presented the Sale Certificate before the registering authority, the same was refused on the ground that it had not been presented within the period of four months prescribed under Section 25 of the Registration Act, 1908.

4. I have heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the Government.



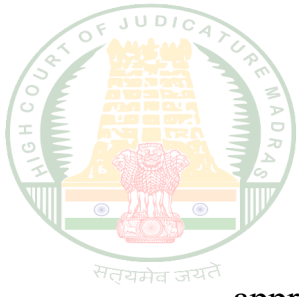
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5. It is evident that, insofar as a Sale Certificate issued pursuant to proceedings under the SARFAESI Act is concerned, what is required is not registration at the instance of the purchaser, but only filing/presentation in terms of Section 89(4) of the Registration Act, 1908. Therefore, the limitation prescribed under Section 25 of the Registration Act, 1908, has no application to such a document. This issue has already been considered by this Court in **Vijayaraja vs. Sub Registrar, Pothumbu and Others [MANU/TN/1491/2026]**.

6. In view of the above, this writ petition is allowed on the following terms:

- (i) The impugned Refusal Check Slip dated 25.02.2026 is set aside.
- (ii) The petitioner is permitted to re-present the Sale Certificate before the Sub-Registrar concerned within a period of two (2) weeks from the date of receipt of a web copy of this order.
- (iii) It is made clear that such presentation shall be treated as one under Section 89(4) of the Registration Act, 1908.
- (iv) Upon payment of the requisite charges, and provided there is no other legal impediment, the Sale Certificate shall be received and



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appropriate action shall be taken in accordance with law.

(v) No costs.

02.06.2026

NCC : Yes / No
smn2

To:-

The Sub Registrar,
O/o.Sub Registrar Office,
Theni,
Theni District.



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D.BHARATHA CHAKRAVARTHY, J.

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