

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-06-2026

CORAM

THE HONOURABLE MR JUSTICE N. SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

WEB COPY



CMP(MD) NO. 7010 of 2026
IN
WA(MD) SR NO. 40663 OF 2026

J.Ramar

Petitioner(s)

Vs

1. Thanigaivel Murugan

2. The Sub Registrar,
Theni,
Theni District.

Respondent(s)

For Petitioner(s): Mr.T.A. Ebenezer

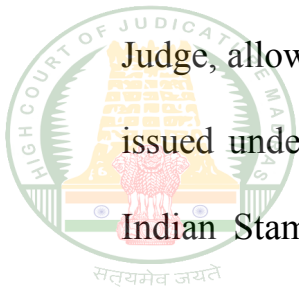
For R2 : Mr.S.Venkatesh, Counsel for the State

Prayer: Petition filed under Section 151 of the Civil Procedure Code, to Grant leave for the filing appeal as against the order passed in W.P.(MD). No. 16883 of 2025 dated 12.08.2025 and thus render justice.

ORDER

(Order of the Court was made by the Hon'ble N.Sathish Kumar J.)

The petitioner claims to be the owner of the property which was subjected to public auction in SARFAESI proceedings. A sale certificate has been issued in favour of the 1st respondent herein/successful bidder. When the sale certificate was presented for registration, the same has been refused on the ground of under valuation. Therefore, the 1st respondent has challenged the same in W.P(MD)No.16883 of 2025 and the learned Single



Judge, allowed the writ petition quashing the refusal check-slip. Once the sale certificate issued under the SARFAESI proceedings, the question of invoking Section 47-A of the Indian Stamp Act, 1899 will not arise. This has been clearly held in the case of The

Inspector General of Registration, Chennai, vs. M/s.Riddhi Siddhi Cotex Private Limited, Aurangabad, in W.A.(MD)Nos.459, 140 & 201 of 2026 and 3144 of 2025 dated 15.04.2026. Therefore, the registering authorities cannot insist for stamp duty as per the guideline value.

2. Be that as it may, the petitioner herein has already challenged the sale certificate before the Debts Recovery Tribunal, Madurai in S.A.No.389 of 2025 which is also pending. Such being the position, now he cannot challenge the registration. Thus, we are not inclined to grant leave. It is for the petitioner to work out his remedy in the pending S.A.No.389 of 2025.

3. Accordingly, this petition is dismissed. Consequently, W.A(MD)SR.No.40663 of 2026 is rejected.

(N.SATHISH KUMAR J.) (M.JOTHIRAMAN J.)
11-06-2026

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To
The Sub Registrar,
Theni,
Theni District.