



W.P.(MD)No.14143 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.05.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.14143 of 2026

Vigneshwaran

... Petitioner

/Vs./

The Sub-Registrar,
(Document Registration Department),
No.1, Joint Sub-Registrar Office,
Thoothukudi District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned refusal check slip in RFL/No.1 Joint Sub-Registrar Thoothukudi/103/2026 dated 07.05.2026 passed by the respondent and quash the same and consequently direct the respondent to register the sale deed presented by the petitioner dated 07.05.2026 in the light of the judgment made by this Honble Court in A. Abdulla Vs. Inspector General of Registration in WP No.17150 of 2018 dated 15.03.2021.

For Petitioner : Mr.C.Karthikeyan

For Respondent : Mr.T.Amjadkhan,
Govt. Advocate



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ORDER

This writ petition has been filed challenging the order passed by the respondent dated 07.05.2025, whereby registration of the sale deed dated 07.05.2026 was refused on the ground that an objection had been received from a third party claiming ownership of the subject property.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner has purchased the property situated in Plot Nos.61 & 62 in S.No.59/1 in Polnayakkan Pettai, Sankaraperi Village, 13th Municipality Ward, Thoothukudi Municipality, Thoothukudi District to an extent of 11 cents, by a registered sale deed dated 13.01.2026, vide Doc.NO.154/2026. Thereafter, the petitioner intended to sell the said property and executed a sale deed in favour of one Selvaraj on 07.05.2026. When the said sale deed was presented for registration, the same was refused to be registered on the ground that an objection has been received from a third party. Challenging the same, the petitioner has filed this Writ Petition.



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4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. Considering the facts and circumstances of the case, this Court is of the view that the respondent being the registering authority cannot go into the title over the property, that too on the objections raised by third party. This issue already dealt with by this Court reported in 2021-2-CWC-451 (*Abdullasa V. Inspector General of Registration*), and held that the Registrar cannot refuse to register the document on the basis of the objection raised by the rival claimant, who has a different source of title.

6. Similarly, in a judgment of the Hon'ble Supreme Court reported in 2016-10-SCC-767 (*Satya Pal Anand V. State of M.P.*), held that an enquiry into the title of the executant is beyond the powers of the Sub-Registrar. Therefore, mere objections raised by the third party, the document cannot be refused to be registered.



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7. In view of the above, this Court is inclined to quash the impugned refusal check slip issued by the respondent in RFL/No.1 Joint Sub-Registrar Thoothukudi/103/2026 dated 07.05.2026 and accordingly quashed. The petitioner is directed to present the sale deed for registration. On receipt of the same, the respondent is directed to register and release the same forthwith.

8. With the above direction, this Writ Petition is allowed. No costs.

13.05.2026

Index : Yes / No
NCC : Yes / No
vsm



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To

The Sub-Registrar,
(Document Registration Department),
No.1, Joint Sub-Registrar Office,
Thoothukudi District.



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G.K.ILANTHIRAIYAN, J.

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