



W.P.(MD) No.14361 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.14361 of 2026

and

W.M.P.(MD)No.10792 of 2026

Vijayakumaravel

... Petitioner

Vs.

1.The District Registrar,
Thoothukudi,
Thoothukudi District.

2.The Sub-Registrar,
Office of Sub-Registrar,
Yeral,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent in Refusal No.RFL/Yeral/36/2026 dated 30.04.2026 and quash the same as illegal, arbitrary and non-application of mind and consequently, direct the second respondent to register the Sale Deed executed in favour of the petitioner.

For Petitioner : Ms.C.Geetha

For Respondents : Mr.P.Rajagopalan
Government Standing Counsel



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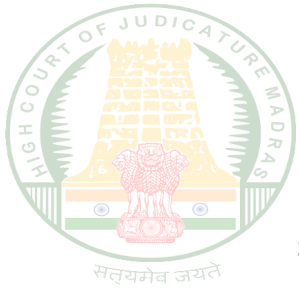
ORDER

WEB COPY The writ petition is filed challenging the impugned refusal check slip dated 30.04.2026.

2. When the petitioner presented the sale deed for registration, registration was refused by invoking the powers under Section 34C of the Registration Act, 1908, on the ground that, unless a no objection certificate is obtained from the mortgagee and the original mortgage deed and other relevant documents are produced, the document cannot be registered.

3. The said issue has already been considered by a Division Bench of this Court in **M/s.Dugars, represented by its Partner v. State of Tamil Nadu and Others** [W.P.(MD) No.7415 of 2026 etc., batch, dated 23.06.2026], wherein Section 34C of the Registration Act, 1908 has been declared unconstitutional.

4. In view of the above, the reasons assigned in the impugned refusal check slip can no longer be sustained.



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5. Accordingly, the writ petition is allowed on the following terms:

(i) The impugned refusal check slip dated 30.04.2026 is set aside.

(ii) The petitioner shall re-present the sale deed. Upon such re-presentation, the registering authority shall receive, process and register the document, provided it is otherwise in order and there exists no other legal impediment for its registration.

(iii) It is made clear that the sale shall remain subject to the prior mortgage, if any.

(iv) There shall be no order as to costs.
Consequently, the connected Miscellaneous Petition is closed.

NCC : No
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To

25.06.2026

- 1.The District Registrar,
Thoothukudi,
Thoothukudi District.
- 2.The Sub-Registrar,
Office of Sub-Registrar,
Yeral, Thoothukudi District.



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D.BHARATHA CHAKRAVARTHY, J.

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