



W.P(MD)No.15349 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 09.06.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.15349 of 2026

1. A.Muthukalai

... Petitioner(s)

- Vs. -

1.The Inspector General of Registration,
Santhome High Road,
Chennai - 600 028.

2.The District Registrar,
Virudhunagar District.

3.The Sub Registrar,
Srivilliputhur Sub Registrar Office,
Virudhunagar District.

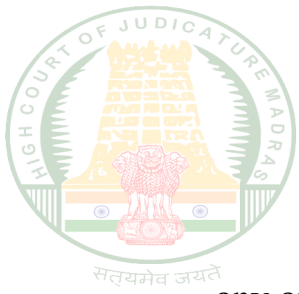
4. Lakshmi

5. Kulandaivel

6. Karupayee

... Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus or



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any appropriate writ, order or direction directing the Respondents 1 to 3 to remove and delete the encumbrance entries relating to Document Nos. 7150 of 2025 insofar as they relate to the property of the Petitioner comprised in Survey No. 1213/2A, Patta No. 2909, measuring an extent of 97 1/2 cents situated at Vizhupanur Village, Srivilliputhur Taluk, Virudhunagar District, and consequently direct correction of the Encumbrance Certificate and other connected registration records or pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case.

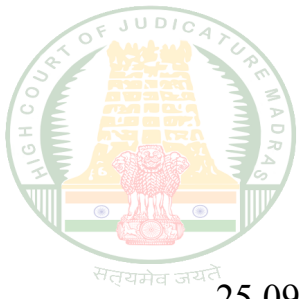
For Petitioner
For R1 to R3

:Mr.Y.Prakash
:Mr.R.Parthiban
Government Standing Counsel

ORDER

This writ petition is disposed of at the admission stage, without notice to the private respondent. This Court is not expressing any opinion on the merits or otherwise of the uh, allegations mentioned therein.

2.Upon hearing the learned counsel for petitioner and perusing the material records of the case, even as per the case of the petitioner, it can be seen that the petitioners predecessors in title have purchased the property and have been in continuous and uninterrupted possession of the same. While so, by wrongly relying upon a rectification deed dated



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25.09.1982, the respondent started dealing with the properties.

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3.In view of the same, it can be seen that the subject matter is with reference to the entitlement of the parties to execute the deed and as per the judgment of the Hon'ble Supreme Court in *Asset Reconstruction Co. (India) Ltd., Vs. S.P.Velayutham[(L2022) & SCC 210]*, when it comes to the entitlement or the right of the party to execute the document, the same will be beyond the purview of the procedure of registration and the District Registrar or the Sub-Registrar will not have the jurisdiction on the aggrieved party has to approach the competent civil Court, if they want to remove the cloud in respect of the title to their property. As a matter of fact, the Honorable Supreme Court in *K.Gopi Vs. Sub-Registrar and others[(2026)2 SCC 696]*, have also laid down the legal position wherein it has been held that mere registration by itself will not vest a title which is otherwise non existent and in view of the same, keeping open the liberty of the petitioner, the prayer in the writ petition cannot be countenanced and as such the writ petition stands disposed of. No costs.

09.06.2026



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D.BHARATHA CHAKRAVARTHY, J.

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- To
- 1.The Inspector General of Registration,
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 - 3.The Sub Registrar,
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