



W.P(MD)No.16291 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 15.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.16291 of 2026

1.NEPC India Limited,
formerly known as NEPC Micon Limited,
Represented by its authorised signatory,
J.Vinoth Kumar,
S/o.Jayapal,
Having Office at No.1678,
Trichy Road,
Ramanathapuram,
Coimbatore - 641 045.

2.Muthulingam

... Petitioners

Vs.

The Sub Registrar,
Radhapuram,
Tirunelveli District.

...Respondent

Prayer: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for records relating to the impugned order of the respondent in check slip No.RFL/Radhapuram/40/2026 dated 27.05.2026 and quash the same and consequently direct the respondent to register the sale deed dated 26.05.2026, pursuant to the judgment and decree passed in



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O.S.No.308 of 1982 dated 11.11.1988, on the file of the Sub Court, Tirunelveli within the time frame fixed by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner	: Mr.M.Veeravelpandi
For Respondent	: M/s.P.Sudarkodi Nachiar Government Standing Counsel

ORDER

The writ petition is filed challenging the impugned refusal check slip dated 27.05.2026.

2. Heard Mr.M.Veerapandi, learned counsel appearing for the petitioner and M/s.P.Sudarkodi Nachiar, learned Government Standing Counsel, who takes notice on behalf of the respondent.

3. The case of the petitioners is that when they presented a sale deed for registration, the same was refused on the ground that the subject land belongs to the Bhoodan Board.



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4. The learned counsel appearing for the petitioners brought to the attention of this Court to the judgment and decree passed by the learned Subordinate Judge, Tirunelveli in O.S. No. 308 of 1982 dated 11.11.1998 and would submit that the suit had been filed by the petitioners' predecessor in title against the State of Tamil Nadu as well as the Bhoodan Board, seeking a declaration and permanent injunction, and that the suit was decreed. In view of the said decree, the learned counsel would contend that the order passed by the Sub-Registrar cannot be sustained.

5. Per contra, the learned Government Standing Counsel would submit that the petitioners ought to have produced the said decree before the Sub-Registrar and that it has been produced before this Court for the first time.

6. I have considered the rival submissions made on either side and perused the materials available on record.



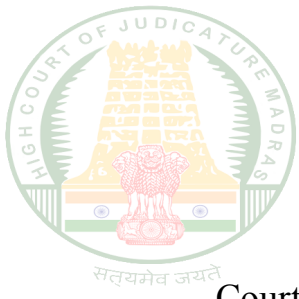
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7. Even before arriving at a conclusion that the land belongs to the Bhoodan Board, the Sub-Registrar ought to have conducted an enquiry as directed by the Hon'ble Division Bench of this Court in ***Sudha Ravi Kumar and another vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and others***, reported in (2017) 3 CTC 135. Admittedly, no such enquiry was conducted in the present case.

8. Therefore, the impugned refusal check slip dated 27.05.2026 cannot be sustained and is accordingly set aside. The matter is remitted to the file of the respondent for fresh consideration. The respondent shall conduct an enquiry in the manner mandated by the Hon'ble Division Bench of this Court in the decision cited supra.

9. During the course of the enquiry, it shall be open to the petitioners to produce the decree of the Civil Court. If, upon verification with the appropriate authorities, it is found that the decree of the Civil



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Court has attained finality, the respondent shall proceed to register the document in accordance with law.

10. In view thereof, this writ petition is ordered on the following terms:-

- i. The impugned refusal check slip dated 27.05.2026 shall stand set aside.
- ii. Within three weeks from the date of receipt of the web copy of the order, the petitioners are directed to represent the judgement and decree in O.S.No.308 of 1982 dated 11.11.1988 along with the certified copy of the judgement and decree.
- iii. It is for the respondent to conduct an enquiry as contemplated under paragraph 25 of the judgment in ***Sudha Ravi Kumar and another vs. The Special Commissioner and Commissioner, Hindu Religious and Charitable Endowments Department, Chennai and others, reported in (2017) 3 CTC 135*** and decide the issue in the manner known to law.



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iv. It will be open for the petitioners to rely upon the decree of the Civil Court and the respondent shall consider the issue as observed supra and pass final orders.

v. The aforesaid excise shall be completed within a period of three months from today.

vi. No costs.

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Neutral Citation: No
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To

The Sub Registrar,
Radhapuram,
Tirunelveli District.



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D.BHARATHA CHAKRAVARTHY, J.

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