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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

**W.A(MD)No.141 of 2026
and
C.M.P(MD)No.1426 of 2026**

Samikan Devadoss ...Appellant/Third Party

.Vs.

1.S.Babu ...Ist Respondent/Petitioner

2.The District Registrar,
Registration Department,
Tirunelveli,
Tirunelveli District.

3.The Sub-Registrar,
Registration Department,
Parkit Managaram,
Palayamkottai Taluk,
Tirunelveli District.

...Respondents 2 &3/ Respondents
1 and 2

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent Act praying this Court to set aside the order of this Court made in W.P(MD)No.11739 of 2025, dated 13.06.2025..

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For Appellant : Ms.Jasima Yasmin
for M/s.Ajmal Associates

For Respondent-1 :Mr.K.Sudalaiyandi

For Respondents :Mr.M.Lingadurai
2 and 3 Addl.Govt.Pleader

JUDGMENT

(Order of the Court was made by **DR.G.JAYACHANDRAN.,J**)

The Writ Appeal was filed by the first respondent-S.Babu seeking a mandamus directing the Sub-Registrar, Palayamkottai, Taluk, Tirunelveli District to register the sale deed presented by the Petitioner as vendor in respect of the house plot measuring an extent of 6.19 cents comprised in S.No.92/2A1A1A, Kurinchi Nagar, Plot No.7, A-Block, Palayanchettikulam Village, Palayamkottai Taluk, Tirunelveli District .

2.Mr.K.Sudalaiyandi, learned counsel takes notice for the first respondent and Mr.M.Lingadurai, learned Additional Government Pleader takes notice for the respondents 2 and 3.

3.The learned Single Judge allowed the Writ Petition stating that the even if there is any objection for registering the sale deed,



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the objector has to establish the right before the competent Civil Court and the Sub-Registrar cannot deny registration of the document when presented for registration. Challenging the said order, the third respondent in the Writ Petition is before this Court stating that the title of the Writ Petitioner-S.Babu itself is defective, since the date on which he purchased the property from the alleged power agents of the principal Samikan Appadurai, two of the power agents already died and the Power Agent deed was coupled with interest and therefore, the Power Agent Deed is null and void on the death of one of the agents. In this regard, a civil suit has been filed and the same is pending. Therefore, it is not mere refusal of registration on objection, but a case of invalid sale deed of the vendor which has already under challenge in the Civil Court.

4.This Court, without adverting to the merits of the allegations and counter allegations, is of the view that since the parties have already approached the civil Court and O.S.No.453 of 2022 is pending on the file of Additional District Court, Tirunelveli, they have to work out their remedy in accordance with law. Before that, creation of any encumbrance of any document by either side will precipitate and create third party interest which needs to be avoided.



WEB COPY 5. With the above observation, this Writ Appeal is allowed.

No costs. Consequently, connected Miscellaneous Petition is closed.

[G.J.,J.] [K.K.R.K.,J.]
10.02.2026

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

1. The District Registrar,
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2. The Sub-Registrar,
Registration Department,
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DR.G.JAYACHANDRAN, J.
and
K.K.RAMAKRISHNAN, J.

vsn

ORDER MADE IN
W.A(MD)No.141 of 2026
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