



W.P.(MD) No.25683 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.25683 of 2025

Ramanathan

... Petitioner

Vs.

1.The Sub-Registrar,
Office of the Sub-Registrar,
Rameswaram,
Ramanathapuram District.

2.P.Nagendran

3.Hariharan

... Respondents

[R2 and R3 are impleaded *vide* court order dated
25.09.2025 in W.M.P.(MD) No.20860 of 2025]

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned refusal check slip in RFL/Rameshwaram/135/2025 dated 03.09.2025 on the file of the respondent herein and to quash the same as arbitrary and illegal and consequently to direct the respondent herein to register the Sale deed dated 24.07.2025 to be presented by the petitioner within a stipulated period of time to be fixed by this Court.



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For Petitioner : Mr.M.Thirunavukkarasu
For R1 : Mr.A.Baskaran
Additional Government Pleader
For R2 : Mr.M.P.Senthil

ORDER

This Writ Petition challenges the impugned refusal check slip dated 03.09.2025.

2. A perusal thereof would show that when the petitioner had presented a document for registration in respect of the very same property, the same had already been dealt with by the second and third respondents and a document had earlier been registered in their favour. Therefore, the present document was refused to be registered. In view of the same, the second and third respondents were earlier ordered to be impleaded in this Writ Petition. The second respondent is now represented by learned counsel.

3. The contention of the learned counsel for the petitioner is that between the second and third respondents and the petitioner, there is litigation inter partes with reference to the very same property. A suit in



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O.S.No.46 of 2013 was filed on the file of the Principal District Court, Ramanathapuram. The same was decreed declaring that the petitioner is the owner of the suit properties and the consequential relief of permanent injunction was also granted. The appeal suit filed by the second and third respondents in A.S.(MD) No.203 of 2015 before this Court was also dismissed. The second and third respondents also approached the Hon'ble Supreme Court of India by filing SLP (Civil) Diary No. 27704 of 2025 and the same was also dismissed, except for deletion of the cost portion of the judgment of the High Court. In view thereof, when the issue has attained finality inter partes, the reasons mentioned in the impugned refusal check slip cannot stand.

4. The learned counsel appearing on behalf of the second respondent would submit that even though a decree of declaration has been obtained, no separate relief for setting aside the said document has been obtained and therefore the Sub-Registrar was right in refusing registration.

5. I have considered the rival submissions made on either side and perused the material records of the case.



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6. The fact that no relief is specifically prayed for in respect of the document can only be a relevant issue for the Civil Court, either to grant the relief of declaration or to refuse the same and the same cannot be raised before the Sub-Registrar when the property has been declared to be that of the petitioner and not of the second and third respondents. In view thereof, when the matter between the parties has attained finality by judgment inter partes, the impugned refusal check slip cannot stand.

7. In view thereof, this Writ Petition is allowed on the following terms:

- i. The impugned refusal check slip dated 03.09.2025 shall stand set aside.
- ii. The petitioner shall re-present the document before the first respondent.
- iii. The same shall be registered, if there is no other legal impediment.
- iv. The parties shall act on a web copy of this order without waiting for a certified copy of the order.
- v. No costs.

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JEN
Neutral Citation : No



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To
WEB COPY

The Sub-Registrar,
Office of the Sub-Registrar,
Rameswaram,
Ramanathapuram District.



WEB COPY



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D.BHARATHA CHAKRAVARTHY, J.

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