



W.P.(MD)No.27040 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.27040 of 2025
and
W.M.P.(MD)No.20979 of 2025

Sumithra

... Petitioner

Vs.

1.The Sub Registrar,
Office of the Sub Registrar,
Radhapuram,
Tirunelveli District.

2.Legina

3.Paraagu
[R2 and R3 are *suo motu* impleaded
vide order dated 26.09.2025 in
W.P.(MD)No.27040 of 2025]

... Respondents

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 first respondent proceedings in his refusal slip in TP/233256658/2025 dated 16.09.2025, is illegal and quash the same and consequently direct the first respondent to register the sale deed dated 16.09.2025 within stipulated time fixed by this Court.



W.P.(MD)No.27040 of 2025

For Petitioner : Mr.R.Paranjothi
For R1 : Mr.M.Gangatharan
Government Advocate
For R2 and R3 : No Appearance

ORDER

This Writ Petition is filed challenging the impugned refusal check slip dated 16.09.2025 and consequently seeking a direction to the first respondent to register the sale deed dated 16.09.2025.

2. Upon perusal of the impugned refusal check slip, it is seen that the petitioner, Sumithra, had presented the document for registration on 16.09.2025. The reason assigned for refusal is that the property in question was originally dealt with by one Janakiammal in favour of Legina and Paraagu under an earlier document of the year 1994. It is further stated that, in respect of the very same survey number, one Vishak had executed a settlement deed in favour of his wife Indhu vide Document No.1007 of 2024, and the said Indhu has, in turn, executed the present sale deed in favour of the petitioner. On the ground that the property had already been dealt with in favour of third parties under the earlier



W.P.(MD)No.27040 of 2025

document, the document presented by the petitioner was refused registration.

3. In the said circumstances, the said third parties, namely, Legina and Paraagu, were *suo motu* impleaded as the respondents 2 and 3, and notice was ordered to be served on them. It is seen that the notice was returned unserved, and thereafter, substituted service was ordered. Pursuant thereto, publication was effected and proof of the same was filed along with the memo dated 19.01.2026. The names of the respondents 2 and 3 were also printed in the cause list. However, they have not chosen to appear before this Court or to oppose the writ petition.

4. Under these circumstances, since it is the contention of the petitioner that the question of title cannot be gone into by the Sub Registrar, particularly, when the affected parties have not chosen to contest the proceedings, this Court is of the view that the impugned refusal check slip cannot be sustained. It is well settled that registration does not confer title, but is only a form of public notice regarding the transaction entered into by the parties.



W.P.(MD)No.27040 of 2025

5. In view of the above, this Writ Petition is allowed on the following terms:

- (i) The impugned refusal check slip dated 16.09.2025 is set aside.
- (ii) The petitioner is directed to re-present the document within a period of two weeks from the date of receipt of a copy of this order.
- (iii) Upon such re-presentation, if the document is otherwise in order, the first respondent shall register the same in accordance with law.

No costs. Consequently, connected Miscellaneous Petition is closed.

07.04.2026

Neutral Citation : No
smn2

To

The Sub Registrar,
Office of the Sub Registrar,
Radhapuram,
Tirunelveli District.



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W.P.(MD)No.27040 of 2025

D.BHARATHA CHAKRAVARTHY, J.

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W.P.(MD)No.27040 of 2025

07.04.2026