



WP(MD). No.31921 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 11/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

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Kannan

... Petitioner

Vs

1.The Sub Registrar,
Sub Registration Office,
Manamadurai,
Ramanathapuram District..

2.Banumathi
(R2 impleaded vide order dated 11.02.2026
in WMP(MD) No.27158 of 2025)

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records of the 1st respondent pertaining to the refusal check slip bearing No. RFL/Manamadurai/17/2025 dated 16.10.2025 and quash the same as illegal and consequently direct the 1st respondent to register the sale deed dated 16.10.2025 by receiving consent statement and no objection through undertaking affidavit petitioners brothers wife namely Banumathi.

For Petitioners : Mr.R.Paranjothi
For Respondents : Mr.K.R.Badurus Zaman for R1
Government Advocate
Mr.M.Perumal for R2



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ORDER

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This writ petition has been filed challenging the impugned refusal Check Slip dated 16.10.2025 issued by the 1st respondent and to direct the 1st respondent to register the sale deed dated 16.10.2025 by receiving consent statement and no objection through undertaking affidavit petitioner's brother's wife namely Banumathi.

2. Heard the learned counsel for the petitioner, the learned Government Advocate for the 1st respondent and the learned counsel for the 2nd respondent.

3. When the petitioner presented the document for registration, the same was refused to be registered by the 1st respondent on the ground that the the sale deed was executed in favour of the petitioner's brother and hence, title can be decided only on the basis of patta. Challenging the said refusal, the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that initially the property was purchased in the name of the petitioner's brother, who



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passed away without any issues. It is a joint family property and patta was issued in favour of his brother. For the purpose of family expenses alone, the property in question came to be sold and hence, the petitioner executed a sale deed, which came to be rejected. He would further submit that since the petitioner's brother is no more, his wife has given no objection for selling the property. In spite of the said fact, the document came to be rejected.

5. Per contra, the learned Government Advocate, would submit that in the event of the petitioner's brother's wife gives no objection, after giving due notice to either side, the 1st respondent will have no objection for registering the same.

6. The learned counsel for the 2nd respondent would submit that the 2nd respondent has no objection for registration of the sale deed.

7. I have considered the rival submissions and perused the materials available on record.



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8. It appears that in the present case, initially the property in question is a joint family property and since the same was purchased in the name of the petitioner's brother, all records stand in the name of the petitioner's brother, who passed away without any issues. Now the petitioner intends to sell the property and the petitioner's brother's wife has also given no objection for the same. When such being the position, I do not find any impediment for the 1st respondent to register the sale deed.

9. Accordingly, the writ petition stands allowed and the impugned orders are set aside and the petitioner is directed to represent the sale deed and upon such representation, the 1st respondent, on giving notice to the petitioner as well as the petitioner's brother's wife Banumathi/2nd respondent herein, shall register the same forthwith in accordance with law, if it is otherwise in order. No costs.

11.02.2026

NCC : Yes/No
Index : Yes/No
RR



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TO

1. The Sub Registrar,
Sub Registration Office,
Manamadurai,
Ramanathapuram District..



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KRISHNAN RAMASAMY, J

RR

**ORDER
IN
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