



W.P.(MD) No.36614 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.36614 of 2025

R.Murugan

... Petitioner

Vs

The Sub-Registrar,
Devaram Sub Registrar Office,
Devaram, Theni District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal slip issued by the respondent in Refusal Number:RFL/Devaram/19/2025, dated 11.12.2025 and quash the same as illegal and consequently, directing the respondent to register the sale agreement produced by the petitioner within a time frame as fixed by this Court.

For Petitioner : Mr.A.Karthik

For Respondent : Mr.K.S.Selvaganesan,
Addl. Govt. Pleader



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ORDER

This Writ Petition is filed challenging the impugned refusal slip issued by the respondent in Refusal Number:RFL/Devaram/19/2025, dated 11.12.2025 and seeking for a consequential direction, directing the respondent to register the sale agreement produced by the petitioner within a time frame as fixed by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. It is the grievance the petitioner that when the petitioner presented a sale agreement for registration, the same was refused to be registered on the ground that a civil suit is pending. Challenging the same, the petitioner has filed this Writ Petition.

4. The learned counsel appearing for the petitioner would submit that without any valid document, one of the grandson of the original owner has filed a suit for partition. He would further submit that mere pendency of a civil suit is not a bar to register the document and if



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any sale is made, the same will be subject to the outcome of the suit.

Hence, the impugned order is liable to be dismissed.

5. The learned Additional Government Pleader appearing for the respondent would submit that since a partition suit is pending, the respondent refused to register the document. Hence, opposed this Writ Petition.

6. Considering the facts and circumstances of the case, this Court is of the view that the issue is no longer *res integra* and this Court already in several judgments has held that mere pendency of a civil suit will not be a ground for refuse to register the document. It is at the risk of the party to purchase the property during the pendency of the suit. Such sale is always subject to the result of the suit. Therefore, I do not find any impediment for the respondent to register the sale agreement presented by the petitioner. Hence, the impugned order is liable to be set aside.

7. Accordingly, the impugned refusal check slip issued by the respondent dated 11.12.2025 is set aside and the Writ Petition is



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allowed. The respondent is directed to register the sale agreement presented by the petitioner forthwith. However, it is made clear that the sale will be subject to the outcome of the partition suit. There shall be no order as to costs.

05.01.2026

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

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To

The Sub-Registrar,
Devaram Sub Registrar Office,
Devaram, Theni District.



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KRISHNAN RAMASAMY, J.

vsm

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