

M.JAYABAL Vs The Sub-Registrar,

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Court : Chennai

Decided On : Mar-30-2026

Judge : Honourable Mr Justice Abdul Quddhose

Appeal No. : WP/11622/2026

Appellant : M.Jayabal

Respondent : The Sub-Registrar,

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE M.Jayabal
S/o.Mr.Murugan, No.48/17, L3 Bharathi Nagar, ..Petitioner(s) Vs

1. The Sub-Registrar,

2. T.Rangammal W/o.Thimma Naicker,

3. T.Chinnamal, W/o.Thimma Naicker, Sathyamangallam Taluk,

4. T.Selvam, S/o.Thimma Naicker, Page1 of 6

5. T.Thirumoorthy

S/o.Thimma Naicker, ..Respondent(s) Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Certiorarified Mandamus to call for the records on the file of the 1st respondent herein vide his refusal No.RFL/Mettupalayam/10/2026 dated 07.02.2026 and further direct the 1st respondent herein to register the petitioners sale deed on its presentation in view of the petitioners representation dated 25.02.2026 and pass orders. For Petitioner(s): Mr.J.Ashok For Respondent(s): M/s.Bakkiyalakshmi Government Advocate

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 07.02.2026 issued by the 1st respondent refusing to register the Sale deed presented by the petitioner for registration on the ground that there is a Civil Suit pending.

2. The petitioner has challenged the impugned refusal check slip on the ground of violation of the principles of natural justice and on the ground that Page2 of 6 it is a non-speaking order with regard to the contentions raised by the petitioner in this writ petition.

3. M/s.Bakkiyalakshmi, learned Government Advocate, accepts

notice on behalf of 1st respondent. The learned Government Advocate on instructions submitted that a civil suit is pending and that a protest petition has also been filed by a third party opposing registration of any document in respect of the very same property, which is the subject matter of the Sale Deed presented by the petitioner for registration.

4. No prejudice will be caused to any other parties, if the matter is

remanded back to the very same respondent for fresh consideration, after hearing all the necessary parties and after giving due consideration to the respective contentions, within a time frame to be fixed by this Court.

5. Since no adverse are being passed against the respondents 2 to 5, notice to them is dispensed with.

6. As seen from the impugned refusal check slip, the contentions of the petitioner raised in this writ petition have not been considered by the 1 st Page3 of 6 respondent. The petitioner was also not afforded any opportunity of hearing by the 1st respondent, prior to the passing of the impugned refusal check slip.

7. Being a non-speaking order with regard to the petitioners contentions

and the supporting documents produced by him, and an order passed in violation of the principles of natural justice, this Court is of the considered view that the impugned refusal check slip dated 07.02.2026 issued by the 1 st respondent has to be quashed and the matter remanded back to the 1 st respondent for fresh consideration on merits and in accordance with law.

8. Accordingly, this writ petition is disposed of in the following manner: -

(a) The impugned refusal check slip dated 07.02.2026 is quashed by this Court and the matter is remanded back to the 1st respondent for fresh consideration on merits and in accordance with law.

(b) The petitioner shall submit a written explanation to

the 1st respondent within a period of one week form the date of receipt of a copy of this order, as to why the 1 st respondent has to accept the registration of the sale deed presented by the petitioner for registration, along with supporting documents. Page4 of 6

(c) On receipt of the same within the time stipulated, the

1st respondent, after giving due consideration to the written explanation submitted by the petitioner along with supporting documents produced by the petitioner as well as the respondents 2 to 5, shall take a final decision with regard to registration of the sale deed presented by the petitioner, on merits and in accordance with law, within a period of four weeks thereafter.

(d) If the 1st respondent decides to refuse to register the

sale deed, the 1st respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner and the supporting documents produced by him. No costs. 30-03-2026 Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No RKA Page5 of 6

ABDUL QUDDHOSE, J.

RKA To The Sub-Registrar, 30-03-2026 Page6 of 6

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