



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-08-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No. 353 of 2026
and WMP.Nos.420 & 421 of 2026**

Ajmal Jamal
S/o. Abdul Shukur,
619/3 Raja Street,
Venkatasamudram,
Dharmapuri-636 905

..Petitioner(s)

Vs

The Sub Registrar
Office of the Sub Registrar,
Pappireddipatti,
Dharmapuri -636 905

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of to call for the records of the impugned refusal check slip in RFL/Pappireddipatti/12/2025 dated 28.11.2025 issued by the Respondent and quash the same as illegal arbitrary and non-est in law and consequently direct the respondent to register the executed sale deed and release the registered sale deed to the petitioner within the time stipulated by this Court.

For Petitioner(s):

Mr.AR. Balaji
for Mr.R. Karthik Kannan

For Respondent(s):

Mr.Domnic S.David
Special Government Pleader



ORDER

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The present writ petition is filed challenging the impugned refusal check slip dated 28.11.2025, whereby the sale deed presented by petitioner was refused registration by invoking Rule 55A of the Tamil Nadu Registration Rules.

2. It is submitted by the learned counsel for petitioner that the validity of Rule 55(A) was the subject matter of challenge before the Supreme Court. The Supreme Court in the case of *K. Gopi v. The Sub-Registrar and Others*, reported in (2026) 2 SCC 696, has held that Rule 55(A)(1) is unconstitutional. The relevant portion is extracted hereunder:

“16. Therefore, assuming that there is a power under Section 69 of 1908 Act to frame Rules, Rule 55A(1) is inconsistent with provisions of 1908 Act. Due to inconsistency, Rule 55A(1) will have to be declared ultra vires 1908 Act. Rule-making power under Section 69 cannot be exercised to make a Rule that is inconsistent with provisions of 1908 Act. Rule 55A(1) is accordingly declared as ultra vires 1908 Act.

17. As writ petition filed by Appellant was dismissed by High Court, relying on Rule 55A(1), and since Rule 55A(1) is held to be invalid, impugned judgments must be quashed and set aside. Ordered accordingly.”

3. In view thereof, the impugned refusal check slip dated 28.11.2025 is set aside. It is open to petitioner to re-present the sale deed along with his



response / objections and it is open to him to place reliance on the decisions of this Court as well as that of the Supreme Court. On such re-presentation and upon consideration of response /objections and after enquiry with petitioner, sale deed shall be registered, if it is otherwise in order, keeping in view the observations and law laid down by this Court as well as the Supreme Court. It is made clear that this Court has not expressed any opinion with regard to merits of the objections raised by either party and it is open to the concerned respondent to consider the objections on its own merits and in accordance with law.

4. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

24-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ANU

To

The Sub Registrar
Office of the Sub Registrar,
Pappireddipatti,
Dharmapuri -636 905



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MOHAMMED SHAFFIQ, J.

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