



WEB COPY

WP No. 15579 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 15579 of 2026

Madhusudhan

..Petitioner(s)

Vs

The Joint 2 Sub-registrar
Registration Department
Kanchipuram.

..Respondent(s)

Calling for the records relating to the Impugned Refusal Check Slip RFL/Joint 2 Sub Registrar Kanchipuram/25/2025 dated 14.11.2025 issued by the Respondent herein quash the same and consequently direct the Respondent herein to register the Partition Deed dated 14.11.2025.

For Petitioner(s): Mr.K.Govi Ganesan

For Respondent(s): Mr.U.Baranidharan,SGP

Order

This writ petition has been filed, challenging the impugned refusal check slip dated 14.11.2025 issued by the respondent, refusing to register the partition deed, presented by the petitioner for registration on the ground that a partition suit is pending in respect of the very same property and the respondent is also a party to the said partition suit.

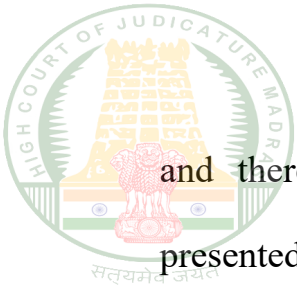


2.The petitioner categorically contends before this Court that no interim injunction was granted in the said suit and therefore, there is no legal impediment for the respondent to register the partition deed presented by the petitioner for registration.

3.Mr.U.Baranidharan, learned Special Government Pleader accepts notice on behalf of the respondent.

4.Admittedly, the petitioner is a party to the partition suit. The respondent is also a party to the said partition suit. Necessarily, all the parties to the partition suit will have to be heard by the respondent before the respondent takes a decision as to whether the partition deed dated 14.11.2025 presented by the petitioner can be registered or not. The petitioner was not afforded any opportunity of hearing by the respondent before issuing the impugned refusal check slip.

5.No prejudice would be caused to any other parties if the matter is remanded back to the respondent for fresh consideration, on merits and in accordance with law by directing the respondent to conduct an enquiry by hearing all the necessary parties, which includes the parties to the partition suit



and thereafter decide as to whether the partition deed dated 14.11.2025 presented by the petitioner can be registered or not.

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6.This Court is not expressing any opinion on the merits of the respective contentions.

7.Being a non-speaking order with regard to the contentions of the petitioner as raised in this writ petition and being an order passed in violation of the principles of natural justice, this Court is of the considered view that the impugned refusal check slip issued by the respondent has to be quashed and the matter has to be remanded back to the respondent for fresh consideration, on merits and in accordance with law.

8.Accordingly, this writ petition is disposed of and the impugned refusal check slip dated 14.11.2025 issued by the respondent is hereby quashed and the matter is remanded back to the respondent for fresh consideration, on merits and in accordance with law. The petitioner shall submit a written explanation to the respondent along with the supporting documents as to why there is no legal impediment for the respondent to register the partition deed, presented by the petitioner for registration, within a period of one week from the date of receipt

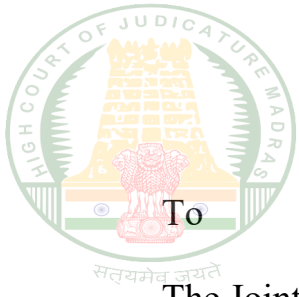


of a copy of this order. On receipt of the said written explanation from the petitioner along with the supporting documents within the stipulated time, the respondent shall, after giving due notice to the petitioner and the other parties to the partition suit in O.S. No.99 of 2024 on the file of the Principal District Court, Kancheepuram and after conducting an enquiry by hearing all the parties to the said suit, take a final decision as to whether the partition deed presented by the petitioner can be registered or not, within a period of three weeks thereafter. In case the respondent decides to refuse registration of the partition deed, presented by the petitioner for registration, the respondent shall pass a speaking order with regard to the written explanation submitted by the petitioner and the supporting documents produced by him. No costs.

22-04-2026

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

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To

The Joint 2 Sub-registrar
Registration Department
Kanchipuram.



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ABDUL QUDDHOSE J.

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