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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

**THE HONOURABLE MR JUSTICE SENTHILKUMAR
RAMAMOORTHY**

WP No. 37169 of 2025

SETTU

S/o. Chinnapaiyan, No. 50
Arundhathirayar Stret, Thuttampatti
Post, Thesavilaku North Village,
Omalur Taluk, Salem 635306.

Petitioner(s)

Vs

1. The Inspector General of
Registration
Santhome Chennai

2. District Registrar
Office Of The District Registrar,
Coimbind Building, Udayapatti
Bye Pass, Salem

3. The Sub Registrar,
Office Of The Sub Registrar,
Tharamangalam Taluk, Omalur
Taluk, Salem District .

4. The Deputy Superintendent of
Police,
(Economic Offences Wing),
Office of Deputy Superintendent

1/6



Of Police, Salem



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Respondent(s)

WP No. 37169 of 2025

PRAYER: This writ petition is filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for records of refusal check slip bearing refusal no. RFL /tharamangalam /32/2025 dated 08.07.2025 on the file of the 3rd respondent and quash the Salem and direct the 3rd respondent to register the petitioners sale deed dated 08.07.2025 and release the sale deed and grant such other order may deem fit and proper under the circumstances of the case.

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For Petitioner(s): M/s.K.Prabakaran
Mohammed Dharwish M
Manikandan K

For Respondent(s): Mr.U.Bharanidharan,Spl.G.P.
for R1 to R3
Mr.S.Sugendran, APP for R4

ORDER

One Sathiyakumar executed a sale deed in favour of the petitioner and the petitioner presented the same for registration on 08.07.2025 before the third respondent. The registration was refused under the impugned refusal check slip dated 08.07.2025.



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2. Learned counsel for the petitioner referred to the refusal check slip and pointed out that a stay order of the fourth respondent is referred to therein. By referring to the communication from the fourth respondent to the Sub Registrar, he points out that only information pertaining to the 31 persons mentioned therein was requested for.

3. Learned counsel for the fourth respondent points out that proceedings in Crime No.15 of 2017 are pending and that the above mentioned communication was issued on account thereof.

4. As contended by learned counsel for the petitioner, the communication from the fourth respondent to the Sub Registrar is not a communication requesting for a stay of the registration of instruments relating to the relevant property. The fourth respondent has merely called for information regarding 31 persons and the transactions undertaken by them.

In *R.Madhupriya and Another v. Inspector General of Registration and Another*, 2020 SCC OnLine Mad 20112, this Court relied on earlier order dated 03.08.2020 in W.P.No.1680 of 2020 to the effect that the registering authority cannot refuse registration merely on the basis of the letter issued



by an Investigating authority. The ratio of the said judgments squarely applies to this case.

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5. Therefore, the impugned refusal check slip is set aside and the matter is remanded to the Sub Registrar. The Sub Registrar shall consider the request for registration and take necessary measures in relation thereto within two weeks from the date of re-presentation of the relevant instruments. No costs.

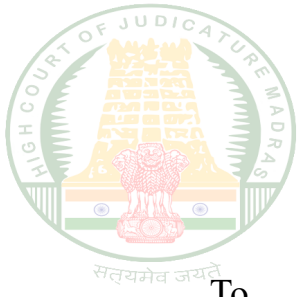
04.12.2025

Index : Yes/No

Internet : Yes/No

Neutral Citation : Yes/No

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To
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SENTHILKUMAR RAMAMOORTHY J.

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