



WEB COPY

WP No. 46516 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-12-2025

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 46516 of 2025

Toushif Raja, S/o.Fahruddin,
No.95, Bharathi Nagar, Manickuppam Village
Anaicut Post, Cheyyur Taluk,
Chengalpattu District.

..Petitioner

Vs

1.The District Registrar (Administration),
Chengalpattu District, Chengalpattu.

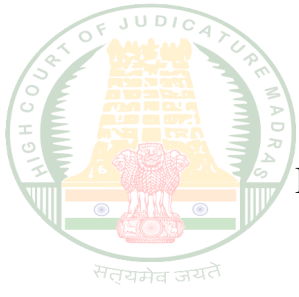
2.The Sub Registrar, Cheyyur,
Chengalpattu District.

..Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records of the 2nd respondent vide refusal No.RFL / Cheyyur / 192 /2025 dated 17/11/2025 and quash the same subsequently direct the 2nd respondent to register petitioner's document of sale deed dated 17/11/2025.

For Petitioner:

Mr. N.Ranjith Kumar



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For Respondents:

Mr.U.Baranidharan, SGP

ORDER

The petitioner purchased a property under sale deed dated 17.11.2025 from the Kanchipuram District Ahlush Sunnath Val Jamath Jamaatthul Ulama Sabai, which is said to be a society registered under the Tamil Nadu Societies Registration Act, 1975. When the instrument was presented for registration, impugned refusal check slip dated 17.11.2025 was issued.

2. Learned counsel for the petitioner invited my attention to the operative portion of the refusal check slip and submitted that the Sub-Registrar erroneously refused registration on the ground that approval from the District Court is required. He submits that the sale was pursuant to a valid resolution of the society and that such resolution was issued in accordance with the society's bye-laws.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts



notice for the respondents. In all fairness, he submits that the matter requires reconsideration after examining the relevant resolution and the bye-laws and other records of the society.

4. The operative paragraph of the impugned refusal check slip reads as under:

“மேற்சொன்ன சொத்தானது *Society Act* ன்படி பதிவு செய்யப்பட்ட சபையின் சொத்தாக உள்ள காரணத்தினாலும் *Society Act* ன்படி ஆண்டு கோர்வைகள் சரிவர பதிவு செய்யப்படாத நிலையிலும் மாவட்ட நீதிமன்றத்தில் மனு செய்து அனுமதி பெற்று பின்னர் கிரைய ஆவணம் தாக்கல் செய்யுமாறு தெரிவித்து பதிவு மறுத்து *Check Slip* வழங்கப்படுகிறது. “

As is noticeable from the above extract, the Sub-Registrar, Cheyyur has concluded that permission is necessary from the District Court. The basis for drawing such conclusion is not evident from the order. It is also unclear as to whether the Sub-Registrar examined the documents pertaining to the society, including the certificate of registration, the resolution passed by the society, its



bye-laws and other records. In view thereof, impugned order is unsustainable

and is hereby set aside. As a corollary, the matter is remanded for

reconsideration by the Sub-Registrar. After providing a reasonable opportunity

to the petitioner and the society concerned, a fresh order shall be issued within

two weeks from the date of receipt of a copy of this order.

5. The writ petition stands allowed on the above terms. There will be no order as to costs.

02-12-2025

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

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To

1. The District Registrar (Administration), Chengalpattu District, Chengalpattu.



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2. The Sub Registrar, Cheyyur,
Chengalpattu District.

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