

W.A.(MD)No.2422 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.A.(MD)No.2422 of 2024
and
C.M.P.(MD)Nos.16796, 16799 of 2024 & 5667 of 2025**

The Sub Registrar,
Theni, Theni District.

... Appellant

Vs.

1.Natesan

2.Jawaharlal Nehru

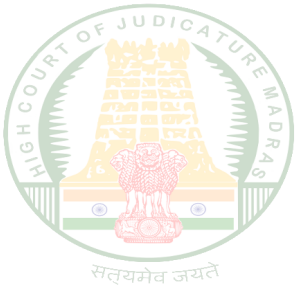
3.Jeyakanthan

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.25234 of 2024 dated 23.10.2024 on the file of this Court.

For Appellant : Mr.Veerakathiravan,
Addl. Advocate General,
Assisted by Mr.A.Baskaran,
Addl. Government Pleader.

For Respondents : Mrs.N.Krishnaveni, Senior Counsel,
For Mr.P.Sivachandran.



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JUDGMENT

(Judgment of the Court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The registering officer questions the order dated 23.10.2024 passed by the learned Single Judge allowing W.P.(MD)No.25234 of 2024 filed by the respondents herein.

3.The respondents herein had executed a gift deed dated 24.09.2024 in favour of the local body. The registering authority declined to register the document and issued the refusal check slip on the ground that that land in question is a panjami land. The learned Single Judge rejected the stand of the registering officer and quashed the refusal check slip and allowed the writ petition and directed registration of the document. The said order assails in this writ appeal.

4.The learned Additional Advocate General appearing for the appellant raised a contention that the writ petition was allowed at the



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admission stage itself and that opportunity to file counter affidavit was not given.

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5.We cannot countenance this objection because the order of the learned Single Judge opens with the following sentence; “by consent of both sides, this writ petition was taken up for final disposal at the sate of admission itself”. It is well settled that the finding of the Court as to what happened in the Court is conclusive and it cannot be allowed to be challenged before the appellate Court. When consent was given for disposal of the writ petition at the admission stage itself, in the appeal, it cannot be argued that opportunity was not given.

6.The learned Additional Advocate General then pointed out that an interim order on injunction has already been issued by the Hon'ble Division Bench in W.P.(MD)No.26567 of 2022 restraining the registering authority from registering any document with regard to panjami lands. His contention is that if panjami land is allowed to be registered in favour of non-schedule caste members, then the registering officer would be committing contempt of the direction passed by the Hon'ble Division



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Bench. He also would add that the refusal check slip specifically referred to this aspect of the matter.

7.No doubt, this contention is sound and appealing. But the learned senior counsel appearing for the writ petitioners / respondents herein pointed out that the jurisdictional Civil Court had already rendered a categorical finding that the land in question is not a panjami land. On the other land, the land was assigned in favour of one Kaman Maathari way back in the year 1929 for his distinguished service as a soldier. Our attention is drawn to the judgment and decree dated 22.10.2021 made in O.S.No.93 of 2011 on the file of the District Munsif Court, Periyakulam. The Sub Registrar, Theni as well as the District Collector, Theni have been shown as defendants 5 and 7. In the said judgment, in Paragraph No.7, a specific finding had been rendered that the land in question is not a panjamar land. It appears that the District Collector, Theni had not filed any appeal questioning this judgment. When the jurisdictional Civil Court had given a finding that the land in question is not a panjami land and the said finding had become final, the injunction order granted in W.P.(MD)No.26567 of 2022 will not come in the way. That is why, the



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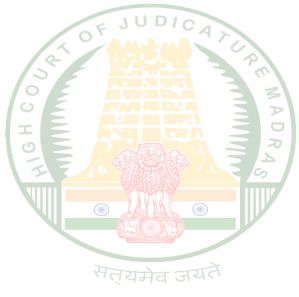
learned Single Judge thought it fit to allow the writ petition itself. We do not find any order. The writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**(G.R.S. J.) & (R.P. J.)
13.03.2026**

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

The Sub Registrar,
Theni, Theni District.



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G.R.SWAMINATHAN, J.
and
R.POORNIMA, J.

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