



WEB COPY

WP No. 8809 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 8809 of 2026

Pigileti Balasubramanyam

..Petitioner(s)

Vs

Sub Registrar
Sub Registrar office
Virugambakkam
Chennai-600 024

..Respondent(s)

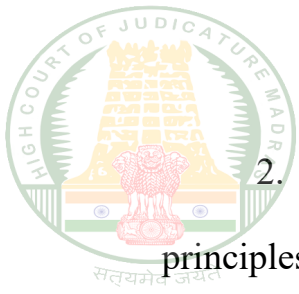
Writ petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned Refusal check slip bearing No.RFL/Virugambakkam/1/2026 dated 29.01.2026 on the file of the respondent and quash the same as illegal, arbitrary and unconstitutional and consequently direct the respondent to register the Sale deed dated 29.01.2026 presented by the petitioner for registration.

For Petitioner(s): Mr.M.Karthik

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

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 29.01.2026 issued by the respondent refusing to register the sale deed presented by the petitioner for registration on the ground that the encumbrance certificate for the subject property discloses a court attachment.

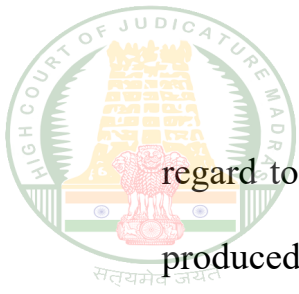


2. The petitioner contends that arbitrarily and by non adherence to the principles of natural justice, the respondent has issued the impugned refusal check slip. The petitioner also relies upon certain authorities rendered by this Court as well as the Hon'ble Supreme Court in support of his contention that despite the court attachment, there is no prohibition for the respondent to register the sale deed presented by the petitioner for registration. This Court is not expressing any opinion on the merits of the same.

3. On the other hand, the learned Special Government Pleader appearing for the respondent would submit that there is a statutory bar for the respondent to register the sale deed presented by the petitioner for registration in view of the court attachment.

4. The learned counsel for the petitioner has also relied upon various authorities rendered by this Court, which, according to him, in similar circumstances, had directed the Registration Department to register the document despite the court attachment.

5. Admittedly, no opportunity of hearing was granted to the petitioner prior to the passing of the impugned refusal check slip by the respondent. The contentions of the petitioner as raised in this writ petition have not been considered in the impugned refusal check slip. Being a non-speaking order with



regard to the petitioner's contentions and the supporting documents/authorities produced by him, and an order passed in violation of the principles of natural

justice, this Court is of the considered view that the impugned refusal check slip dated 29.01.2026 issued by the respondent has to be quashed and the matter remanded back to the respondent for fresh consideration on merits and in accordance with law.

6. Accordingly, this writ petition is disposed of in the following manner:-

(a) The impugned refusal check slip dated 29.01.2026 is quashed by this Court and the matter is remanded back to the respondent for fresh consideration on merits and in accordance with law.

(b) The petitioner shall submit a written explanation along with supporting documents/authorities to the respondent within a period of two weeks from the date of receipt of a copy of this order, as to why the respondent has to accept the registration of the sale deed presented by the petitioner for registration.

(c) On receipt of the same within the time stipulated, the respondent, after giving due consideration to the written explanation submitted by the petitioner along with supporting documents/authorities, shall take a final



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decision with regard to registration of the sale deed presented by the petitioner, on merits and in accordance with law, within a period of four weeks thereafter.

(d) In case the respondent decides to refuse to register the sale deed, the respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner and the supporting documents/authorities produced by him.

No Costs.

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Index: Yes/No
RKM

To
Sub Registrar
Sub Registrar office
Virugambakkam
Chennai-600 024



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ABDUL QUDDHOSE, J.

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