



WEB COPY

WP No. 12330 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 12330 of 2026

K. Maheswari

..Petitioner(s)

Vs

1. The Sub Registrar
Magudanchavadi SRO
Sankagiri-637 103
Salem District

2. A.Angamuthu

3. A.Selvaraj

4. Palaniammal

5. S.Raja

6. Murali

7. A.Senthil

8. Saraswathi

9. M.Krishnan

..Respondent(s)

calling for the records relating tot he impugned Refusal Check slip order in RFL/Makudanchavadi/36/2026 dated 07.02.2026 passed by the 1st respondent quash the same and consequently direct the 1st respondent to register the settlement deed dated 07.02.2026 executed by petitioner in favour of the petitioners son K.Prabhu in respect of the property measuring 1.00 acres in S.No.248/4A Pudhur village, Sankari Taluk, Salem District.



For Petitioner(s): Mr.N.Manoharan

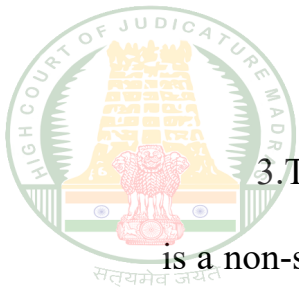
For Respondent(s): Mr.U.Baranidharan,SGP

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Order

This writ petition has been filed, challenging the impugned refusal check slip dated 07.02.2026 passed by the first respondent, refusing to register the settlement deed dated 07.02.2026, presented by the petitioner for registration on the ground that the very same property has already been dealt with by a third party.

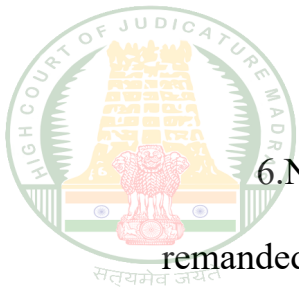
2.The petitioner categorically contends that she is the absolute owner of the property, which is the subject matter of the settlement deed dated 07.02.2026, presented by the petitioner for registration. The petitioner claims that she traces her title through the parent documents produced by the petitioner to the first respondent. Hence, according to the petitioner, arbitrarily and by total non-application of mind, the first respondent has refused to register the settlement deed, presented by the petitioner for registration. The petitioner also contends that without authority under law, the first respondent has adjudicated the title of the property through the impugned refusal check slip dated 07.02.2026.



3. The petitioner has challenged the impugned order on the ground that it is a non-speaking order with regard to the contentions of the petitioner as raised in this writ petition and it is an order passed in violation of the principles of natural justice.

4. Mr. U. Baranidharan, learned Special Government Pleader accepts notice on behalf of the first respondent. Since no adverse orders are passed against respondents 2 to 9, notice to respondents 2 to 9 is dispensed with by this Court.

5. Admittedly, the petitioner was not afforded any opportunity of hearing by the first respondent before passing the impugned refusal check slip dated 07.02.2026. As seen from the impugned order dated 07.02.2026, the contentions of the petitioner as raised in this writ petition have also not been considered by the first respondent. Being a non-speaking order with regard to the petitioner's contentions and the supporting documents produced by her and an order passed in violation of the principles of natural justice, since the petitioner was not afforded an opportunity of hearing by the first respondent, this Court is of the considered view that the impugned order has to be quashed and the matter has to be remanded back to the first respondent for fresh consideration, on merits and in accordance with law, within a time frame to be fixed by this Court.



6.No prejudice would be caused to respondents 2 to 9 if the matter is remanded back to the first respondent for fresh consideration to enable the first respondent to hear all the parties, which include the petitioner as well as respondents 2 to 9 and thereafter take a final decision as to whether the settlement deed, presented by the petitioner can be registered or not.

7.This Court is not expressing any opinion on the merits of the petitioner's contentions as raised in this writ petition.

8.For the foregoing reasons, this writ petition is disposed of and the impugned refusal check slip dated 07.02.2026 passed by the first respondent is hereby quashed and the matter is remanded back to the first respondent for fresh consideration, on merits and in accordance with law. The petitioner shall submit a written explanation along with the supporting documents to the first respondent stating as to why there is no legal impediment for the first respondent to register the settlement deed dated 07.02.2026, 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 along with the supporting documents from the petitioner within the stipulated time, the first respondent shall conduct an enquiry, after hearing the objections of respondents 2 to 9 and after giving due consideration to the written explanation submitted by the petitioner along with the supporting documents and take a final decision as



to whether the settlement deed dated 07.02.2026, presented by the petitioner for registration can be registered or not, within a period of four weeks thereafter. In case, the first respondent decides to refuse the registration of the settlement deed, presented by the petitioner for registration, the first respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner as found in the written explanation as well as the supporting documents produced by her. No costs.

01-04-2026

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

VGA

To

The Sub Registrar
Magudanchavadi SRO
Sankagiri-637 103
Salem District



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ABDUL QUDDHOSE J.

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