



WEB COPY

WP No. 10467 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 10467 of 2026

M.Somasundaram

..Petitioner(s)

Vs

The Sub Registrar
Pallipalayam SRO
Pallipalayam,
Namakkal District.

..Respondent(s)

calling for the records relating to the impugned Refusal Check Slip in RFL/ Pallipalayam/17/ 2026 dated 26.02.2026 passed by the respondent quash the same and consequently to direct the respondent to register the Settlement deed dated 20.02.2026 executed by the petitioner in respect of the land measuring 2.63 1/2 Acres comprised in S.No.164/2B and land measuring 0.16 acre comprised in S.No.163/1A, Kaliyanur Amani Village, Kumarapalayam Taluk, Namakkal District.

For Petitioner(s): Mr.R.T.Vishnu

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

Order

This writ petition has been filed, challenging the impugned refusal check slip dated 26.02.2026 passed by the respondent, refusing to register the settlement deed dated 20.02.2026, presented by the petitioner for registration on



the ground that a protest petition has been filed by a third party objecting to registration of any document pertaining to the property.

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2.The petitioner has challenged the impugned order on the ground of violation of principles of natural justice and on the ground that it is a non-speaking order. According to the petitioner, erroneously and without authority under law, the respondent has refused to register the settlement deed, presented by the petitioner for registration. The petitioner claims that he is the settlor under the settlement deed and he has got every legal right to get the settlement in his favour. He has annexed to this writ petition the documents in support of his contentions.

3.Mr.Harish, learned Government Advocate accepts notice on behalf of the respondent.

4.This Court is not expressing any opinion on the merits of the same. Admittedly, a protest petition has been filed by a third party, who claims that the settlor does not have any legal right to settle the property. Since the protest petition has been filed by a third party, necessarily, the third party (protestor) has to be heard by the respondent before passing any final order on the registration of the settlement deed, which is the subject matter of this writ petition for registration. The respondent has rightly refused to register the



settlement deed presented by the executant for registration on the ground that there is a protest petition.

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5. Since the respondent has not afforded any opportunity for the petitioner as well as the settlee to prove that they have every right to present the settlement deed for registration, this Court deems it fit to direct the respondent to afford an opportunity of hearing to the petitioner (settlor) as well as the third party, who had filed the protest petition and after hearing all the necessary parties and after giving due consideration to the supporting documents produced by them, the respondent will have to take a final decision as to whether the settlement presented by the settlor, which is the subject matter of this writ petition, can be registered or not, within a period of 4 weeks from the date of receipt of a copy of this order. If the respondent decides to refuse registration of the settlement deed presented by the petitioner/settlor for registration, a speaking order shall be passed, after giving due consideration to the contentions of the settlee and the petitioner.

6. With the above observation, this writ petition is disposed of. No costs.

23-03-2026

VGA

To

The Sub Registrar
Pallipalayam SRO
Pallipalayam,
Namakkal District.



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ABDUL QUDDHOSE J.

VGA

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