

W.P.(MD)No.6930 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Orders Reserved on	16.06.2026
Orders Pronounced on	14.07.2026

CORAM:

THE HONOURABLE Mr.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.6930 of 2025
and W.M.P.(MD) No.5219 of 2025

A.R.Umar Farook (Died)

Naseem Akthar

S/o A.R.Umar Farook

Door No.346/37, T.M.H.Garden, Pallapatti,

Aravakuruchi Taluk, Karur District.

(Petitioner is substituted vide Court order dated 22.10.2025

in WMP.(MD) No.16507 of 2025 in WP (MD) No.6930 of 2025)

... Petitioner

Vs.

1.The District Registrar,

Karur, Karur District.

2.The Sub Registrar,

Malakarur, Karur District.

3.The Sub Registrar,

Aravakurichi,

Karur District.

4. A.Soukath Ali

5. T.M.Syed Ibrahim

(R4 and R5 are impleaded Vide

order dated 22.10.2025 in WMP(MD)



W.P.(MD)No.6930 of 2025

6. P.Selvasekaran

(R6 is Impleaded vide order dated 07.04.2026.)

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7. T.A.Fathima Kani

8. T.A.Liyakath Ali

9. T.L.Kaja Mohaideen

10. T.L.Zubair Ahamed

11. T.L.Naseer Ahamed

12. T.S.Mohamed Sujath Ali

13. T.Safana Yasmin

14. T.A.Sathik Ali

15. T.A.Anvar Ali

16. A.Mohammedarsath Ansari Anvaralli

17. T.A.Asif Ali

18. T.A.Mujeebur Rahman

19. T.M.Mohamed Mujamil

20. T.M.Sahana Safrin

21. N.M.Shaheena Thagseen

22. A.Shahina

23. A.Aysha Thasbeega Ajeesur Rahman

24. M.Najumunnisha Mohammed Meeran



W.P.(MD)No.6930 of 2025

25. S.Fairoz Begam

WEB COPY 26. S.S.Jareena Begam

27. A.Jakkiya Begum

28. S.M.Sharmila Bhanu

29. T.M.Sarammal

30. T.M.Syed Ibrahim

31. T.M.Salman Hussain

32. S.M.Subaitha Banu

33. K.H.Syed Ali Fathima

34. M.Rafeeqjan

35. J.Samsath Begam

36. P.M.Musthuri Begam

37. J.Junaitha Banu

38. V.R.Rabiya Begum

39. A.J.Aysha Mariyam
(R7 to R39 are suo motu impleaded vide
order of this Court dated 21.04.2026)

... Respondents

PRAYER :-

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the records relating to the order passed by the 1st respondent in his proceedings in Na.Ka.No.



W.P.(MD)No.6930 of 2025

240/Aa1/2025 dated 14.02.2025 and quash the same as illegal and consequentially to direct the 1st respondent to assign document number to the sale deed dated 02.05.2023 registered by the 3rd respondent qua the land to an extent of 12.65 acres comprised in S.F No. 305, Aravakurichi Village, Karur District and release the same within a time stipulated by this Court.

For Petitioner ... Mr.G.Prabu Rajadurai
for M/s Ajmal Associates

For Respondents ... Mr.R.Parthiban
Govt. Standing Counsel for RR1 to 3
Mr.S.Harish for RR4 & 5
Mr.E.K.Kumaresan for R6
Mr.P.Athimoolapandian for RR7 to 39

ORDER

This writ petition is filed challenging the order dated 14/02/2025 and, consequently, seeks directions to the first respondent to assign document number to the sale deed dated 02/05/2023, presented by the petitioner to the file of the third respondent with reference to the land of an extent of 12.65 acres comprised in SF No. 305, Aravakuruchi Village, Karur District, and to release the document to the petitioner.

2. Heard the Learned Counsel for the petitioner, the Learned Government Advocate appearing on behalf of the official respondents, and the Learned Counsel appearing on behalf of the private respondents. Upon considering the submis-



W.P.(MD)No.6930 of 2025

sions and perusal of the records, the following facts leading to the filing of this writ petition can be ascertained.

3. This *lis* relates to an extent of land comprised in S.F. No. 305, Aravakuruchi Village, Karur District, measuring Acres 12.65 Cents. As per the list of documents enumerated by the District Registrar, the first is Document No. 225 of 1960, by which one Abdul Majid and Mohamad Ali purchased a total extent of 49.56 acres, comprised in Arava Kuruchi village, in S.F. Nos. 304, 307, 364, 365 and 366.

4. Thereafter, the said Abdul Majid and Mohamad Ali executed a settlement deed in document No. 349 of 1960 in which, while conveying the aforesaid five survey numbers, they also conveyed the property comprised in survey No. 305 ad measuring Acres 12.65 cents, in all totalling Acres 62.21 cents, to and in favour of one Abdul Azeez and Fatima Beevi. Again, the same Abdul Majid and Mohamad Ali convey a one-third share in the very same total extent of Acres 62.21Cents in favour of one Syed Mohamad by a sale deed bearing Document No. 407 of 1963.



W.P.(MD)No.6930 of 2025

5. In turn, Abdul Azeez and Fatima Beevi reconveyed the extent settled on them once again to Abdul Majid and Mohamad Ali by a release deed bearing Document No. 1617 of 1965. Similarly, Syed Mohamad again conveys the extent purchased by him from the said Abdul Majid and Mohamad Ali by a sale deed in Document No. 690 of 1966. As per the transactions, it is claimed that Abdul Majid and Mohamad Ali were vested with the aforesaid extent of Acres 62.21 Cents as of the year 1966.

6. They sold an extent of Acres 49.56 Cents, comprised in survey Nos. 304, 364, 365, 307, and 366/2, in favour of Karuppana Gounder and Palanisamy Gounder by a registered sale deed bearing Document No. 970 of 1981. The said Karuppana Gounder and Palanisamy Gounder partitioned the properties between them by a registered partition deed bearing Document No. 1881/2007. It may be noted that in the partition deed, the extent of Acres 13.37 Cents purchased by them in survey number 365 is not mentioned. However, the same extent of 49.56 acres is partitioned between the two groups, but by including survey number 365.

7. In survey number 305, Acre 12.38 Cents is allotted to Karuppana Gounder. Acre 0.26 Cents is allotted to the legal heirs of Palanisamy Gounder,



W.P.(MD)No.6930 of 2025

namely Poongodi and K.P. Paneer Selvam. In the same year, another Document No. 2010/2007, was executed by Karuppana Gounder in favour of the son of Palanisamy Gounder, namely K. P. Paneer Selvam, by which an extent of Acre 1. 17 1/4 Cents in SF 366/2A, Acre 0.44 Cents in SF 365/2, Acres 12.25 Cents in SF 305, and Acre 1.35 Cents in SF 304, in all totalling acres 15.36, is settled on the said K.P.Paneer Selvam.

8. By Document No. 2301 of 2019, the said K.P. Paneer Selvam sold an extent of Acre 0.30 Cents in Survey No. 304/1 and an extent of Acres 3.16 Cents in Survey No. 305 in favour of one Pughalendhi.

9. It is at this stage, 22 persons claiming to be legal heirs of late Abdul Majid and late Mohamad Ali, the party respondents in the Writ Petition, execute a sale deed in favour of the petitioner namely Umar Farook (who has since died and stands substituted by the present petitioner Naseem Akhtar) and one Palanisamy, before the Sub Registrar, Melakarur, by including a first item of schedule of property being 900 sq ft of land in survey number 426/1 in Suba Garden, bearing plot number 36, which comes within the jurisdiction of the Sub Registrar, Melakarur, and including the land in survey number 305 of Aravakuruchi



W.P.(MD)No.6930 of 2025

village ad measuring Acres12.65 Cents. Upon the said document being presented on 02/05/2022, the same was kept pending.

10. While the above document was pending, by Document No. 2369/2023, the said K. P. Paneer Selvam sold Acres5.96 Cents in SF 305, along with another extent of Acre1.05 Cents in SF 304, in favour of V. Maheshwari. Again, Document No. 2370 of 2023, K.P.Paneer Selvam sold an extent of Acres 3.03 1/4 Cents in favour of the same Maheshwari.

11. At this stage, the legal heirs of the late Abdul Majeed and the late Mohamed Ali, who had conveyed the property in favour of the petitioner and another person, joined hands with the said V. Maheshwari, and together, all twenty-three of them dealt with the property in the very same SF 305, Aravakurichi village, by dividing it into 305/1, 2, 3, and 4, and conveyed different extents to Madhiyazhagan by Document No. 3892/2024, to Ravichandran by Document No. 3893 of 2024, to M. Sadasivam by Document No. 3894 of 2024, and to Thangaraj and Sivakumar by Document No. 3964 of 2024.

12. The aforementioned Sadasivam, in turn, executed a power of attorney in Document No. 4784 of 2024 in favour of one Thangavel. Document No. 4797 of 2024, in the form of a settlement deed, was executed in favour of the Gover-



W.P.(MD)No.6930 of 2025

nor of Tamilnadu, in an attempt to change the user of the land and to lay out the lands, including SF 305 by the said K.P. Paneer Selvam and others.

13. Pughalendhi, mentioned above, in whose favour part of SF 305 was also conveyed in 2019, conveyed the land in favour of Thangavel vide Document No. 5050 of 2024. By yet another document, bearing registration number 5333 of 2024, Acre 2.92 Cents in Survey Number 305 was conveyed in favour of Selvasagaran, by Ravichandran. Similarly, Madhiyazhagan, Sadasivam, and Thangavel also conveyed their extents of property in Survey Number 305 by subdividing it into 305/1A and 305/1B in favour of Selvasagaran.

14. In the meantime, the Sub-Registrar, Melakarur, refused to register the petitioner's document on 26.09.2023, which was kept pending under document number P46 of 2023. Aggrieved by the refusal, the petitioner filed W.P.(MD) No. 26511 of 2024. The writ petition was disposed of by directing the District Registrar to pass orders on the petitioner's appeal. Thereafter, by the impugned order, the District Registrar considered the aforesaid documents and he dismissed the appeal by rendering the following findings:

I.Firstly, the District Registrar held that, artificially, by including a 900 square feet plot which was within the jurisdiction of the Sub-Registrar, Melakarur, the presentation of the document before the Melakarur Sub-



W.P.(MD)No.6930 of 2025

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Registry was erroneous and in violation of law and the circular issued in that regard, while the true intent was to convey the property in SF No.305, Aravakurichi Village, which is within the jurisdiction of the Sub-Registrar, Aravakurichi.

II.Secondly, the District Registrar found that when the property has been dealt with by the said K.P. Paneer Selvam and others for more than 12 years beyond the period of limitation, without challenging these documents, the sale deed is being executed.

III.Thirdly, it is the finding of the District Registrar that the case of the executant of the document, namely the 22 legal heirs, was that they considered the purchaser to be the persons being the legal heirs of Karuppana Gounder and others. However, after realising that the purchaser was not the original legal heir of Karuppana Gounder, they offered to repay the sale consideration, and without getting back the sale consideration from them, the petitioner is insisting upon the registration of the document and thus, the very intention to convey the property is doubtful.

15. Feeling aggrieved, the present writ petition is filed. Upon considering the above facts and the arguments made by the learned counsel on either side, I



W.P.(MD)No.6930 of 2025

have no hesitation in holding that, as far as the reasons of the District Registrar and the Sub-Registrar with reference to refusing the document for wrongful presentation at the office of the Sub-Registrar, Melakarur, are concerned, the same are partly erroneous.

16. They are right in finding that the presentation of the document is in violation of the circular. It is clear that merely because several documents are already registered with reference to Survey Number 305, Aravakurichi Village, at the office of the Sub-Registrar, Aravakurichi, and to avoid confrontation and enquiry, the parties in a clandestine manner have chosen to artificially add a 900 square feet plot to the schedule of property, thereby invoking the jurisdiction of the Sub-Registrar, Melakarur, while the core of the conveyance is with reference to Acres 12.65 Cents in Survey Number 305, Aravakurichi Village, which falls within the jurisdiction of the Sub-Registrar, Aravakuruchi.

17. However, with reference to the same, the appropriate order that could have been passed by the Sub-Registrar, Melakarur, is to return the document to be presented before the appropriate Sub-Registrar, namely the Sub-Registrar, Aravakurichi, and the document itself cannot be refused registration for that purpose.



W.P.(MD)No.6930 of 2025

18. Similarly, the reasoning of the District Registrar with reference to the objections raised by the 22 legal heirs of the late Abdul Majeed and Mohamed Ali cannot hold water. After selling the property, the said persons cannot sell it again on the ground that they are ready to return the sale consideration to the earlier purchasers. Once the sale deed is executed in favour of late Umar Farook and another, unless it is re-conveyed or the sale is declared illegal by any court of law, the said 22 persons cannot, by themselves, usurp the title again by contending that they thought the purchaser was a different person and that they are ready and willing to return the sale consideration.

19. With reference to the other findings relating to the limitation and the dealing of the properties by the said K.P. Paneer Selvam and others, it can be seen that the District Registrar has noted the presence and absence of SF 305 in the various documents and how both sides are claiming title.

20. Though an argument is made by the learned counsel for the petitioner that it is not for the Sub-Registrar to go into the title, I am not in a position to render any positive finding on that aspect, because the said K.P. Paneerselvam, the subsequent purchasers, and the claimants through them, in whom the rival claim of title is made, are not made parties to the Writ Petition. In their absence,



W.P.(MD)No.6930 of 2025

no findings whatsoever can be made. In view of the above, limited relief can be granted to the petitioner.

21.The W.P.(MD) No.6930 of 2026 is ordered on the following terms:

I.The impugned order of the District Registrar dated 14.02.2025 bearing Na.Ka. No. 240/AA1/2025 and the refusal slip dated 26.09.2023 passed by the Sub-Registrar, Melakarur, shall stand set aside;

II.Within three weeks from the date of receipt of the web copy of the order, the petitioner shall represent the document before the Sub-Registrar, Aravakurichi;

III.The Sub-Registrar, Aravakurichi, shall issue notice to all the three groups, including the petitioner, the 22 legal heirs of late Abdul Majeed and Mohamed Ali, and the said K.P. Paneer Selvam and the persons claiming title through K.P. Paneer Selvam and the group, and thereafter consider the case/objections of all the three groups and pass final orders with reference to the registration of the document relating to Survey Number 305 of Aravakurichi Village;

IV.While doing so, the observations made above vis-a-vis the contention of the legal heirs of Abdul Majeed and Mohamed Ali shall



W.P.(MD)No.6930 of 2025

be borne in mind;

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V. The final orders, as stated above, shall be passed after due enquiry, as expeditiously as possible, in any event not later than six months from the date of receipt of the web copy of this order.

VI. No Costs. Consequently, connected miscellaneous petition stands closed.

14.07.2026

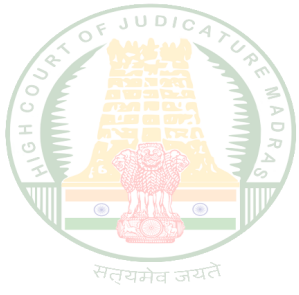
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Neutral Citation Case : No

To

1. The District Registrar,
Karur, Karur District.

2. The Sub Registrar,
Malakarur,
Karur District.

3. The Sub Registrar,
Aravakurichi,
Karur District.



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W.P.(MD)No.6930 of 2025

D.BHARATHA CHAKRAVARTHY, J.

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Pre-delivery common order in
W.P.(MD) No.6930 of 2025
and W.M.P.(MD) No.5219 of 2025

14.07.2026