

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :07.08.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)Nos.21620 and 21621 of 2025

and

W.M.P.(MD)Nos. 16711 & 16704 of 2025

W.P(MD)No.21620 of 2025:

Umar Rahima

... Petitioner

vs.

The Sub Registrar,
Thisayanvilai,
Tirunelveli District.

...Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for records relating to the impugned refusal check slip issued by the respondent in RFL/Thisayanvilai/33/2025 dated 03.06.2025 and quash the same as illegal and consequently direct the respondent to register the Settlement deed executed by the petitioner dated 03.06.2025 within the time that may be stipulated by this Court.

For Petitioner :Mr.Mahaboob Athiff

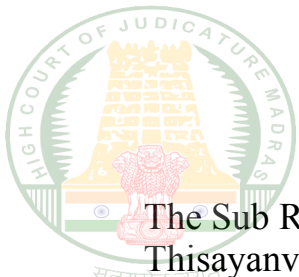
For Respondent : Mr.S.Saji Bino
Special Government Pleader

W.P(MD)No.21621 of 2025:

Sabura

... Petitioner

vs.



The Sub Registrar,
Thisayanvilai,
Tirunelveli District.

...Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for records relating to the impugned refusal check slip issued by the respondent in RFL/Thisayanvilai/34/2025 dated 03.06.2025 and quash the same as illegal and consequently direct the respondent to register the Settlement deed executed by the petitioner dated 03.06.2025 within the time that may be stipulated by this Court.

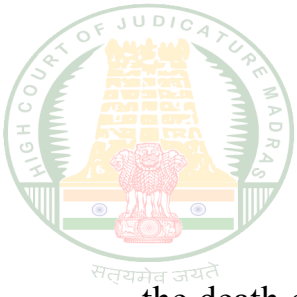
In Both the Petitions:

For Petitioners	:Mr.Mahaboob Athiff
For Respondent	: Mr.S.Saji Bino Special Government Pleader

COMMON ORDER

These Writ Petitions are filed for the issuance of a Writ of Certiorarified Mandamus to quash the impugned refusal check slip issued by the respondent dated 03.06.2025 and consequently to direct the respondent to register the Settlement deed executed by the petitioner dated 03.06.2025.

2. Through the impugned order, the respondent has stated that the petitioners have traced the title of the property, however, they did not submit the settlement deed along with the death certificate of one Sithi Ayisha.



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3. The learned counsel appearing for the petitioners submitted that the death certificate of Sithi Ayisha is available, however, the legal heir certificate is not available. Since she had no issues, no legal heir certificate was obtained.

4. Considering the facts of the case, this Court is of the considered opinion that if further investigation is to be carried out, then the Registration Department would, in effect, be sitting as a civil court and tracing title, which is not permitted. Therefore, based on the death certificate of Sithi Ayisha, the respondent can proceed to register the settlement deed.

5. Accordingly, the impugned order dated 03.06.2025 issued by the respondent is hereby quashed. The petitioners are directed to produce the death certificate of Sithi Ayisha along with the settlement deed. On such submission, the respondent is directed to register the same.

6. With the above observations, these Writ Petitions are allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

07.08.2025

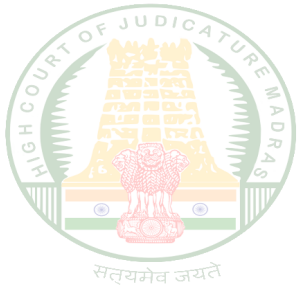
NCC : Yes / No
Index : Yes / No
Internet : Yes
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To:

The Sub Registrar,
Thisayanvilai,
Tirunelveli District.



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S.SRIMATHY, J.

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**Common Order made in
W.P(MD)Nos.21620 & 21621 of 2025**

DATED :07.08.2025