

W.P(MD)No.21269 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.21269 of 2025

Esakki Thangam

... Petitioner

Vs.

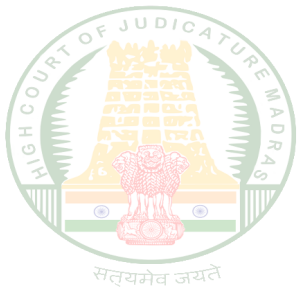
The Sub Registrar,
Kayalpattinam,
Tuticorin District.

.. Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, calling for the records pertaining to the impugned Refusal Check Slip in RFL/Kayalpattinam/57/2025 dated 09.07.2025 passed by the respondent and to quash the same and consequently direct the respondent to register the settlement deed dated 03.07.2025 which was presented by the petitioner.

For Petitioner : Mr.S.Ramanathan

For Respondents : Mr.G.Suriya Ananth
Additional Government Pleader



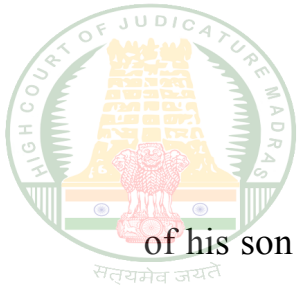
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ORDER

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This Writ Petition has been filed for issuance of the Writ of Mandamus, challenging the impugned Refusal Check Slip in RFL/Kayalpattinam/57/2025 dated 09.07.2025 passed by the respondent and consequently direct the respondent to register the settlement deed dated 03.07.2025 which was presented by the petitioner.

2. It is the case of the petitioner that the property originally belonged to one deceased Mohaideen Abdul Khader and thereafter, the subject property was alienated for a valuable sale consideration in favour of Narayana Nadar, son of Sami Nadar vide a registered sale deed in Doc.No.3550/1944 dated 17.11.1944. Subsequently, the subject property was inherited by Periyasami Nadar who is the legal heir of the said Narayana Nadar. After the demise of the above said Periyasami Nadar, the subject property was devolved up on his wife Thangalakshmi. Further, the subject property was alienated in favour of the petitioner by the said Thangalakshmi for a valuable sale consideration vide a registered sale deed in Doc.No.1522/91 dated 18.11.1991. From thereon, the subject property is in the peaceful possession of the petitioner and the revenue records stands mutated in favour of the petitioner and the tax receipts and electricity connection stands in the petitioner's name. The subject property being a self-acquired property, the petitioner wants to settle the subject property in favour



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of his son Nagarajan. Hence, presented the settlement deed for registration before the respondent on 03.07.2025 and the same has been refused on the ground that there is already an entry against the subject property and returned the documents without registration.

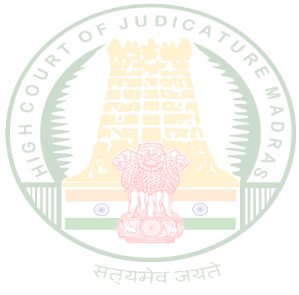
3. Heard both sides and perused the materials available on record.

4. Merely because there is a double entry in respect of subject property, the registration cannot be refused. Hence, the impugned order passed by the second respondent in Refusal No.RFL/Kayalpattinam/57/2025 dated 09.07.2025 is hereby quashed and this Writ Petition is allowed. The respondent is directed to register the petition mentioned document within a period of four weeks from the date of receipt of a copy of this order. It is for the concerned parties to establish their title before the competent civil Court by adducing property document. No costs.

05.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PJL

S.SRIMATHY, J.



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To
The Sub Registrar,
Kayalpattinam,
Tuticorin District.

**ORDER MADE IN
W.P(MD)No.21269 of 2025**

DATED : 05.08.2025