

W.P.(MD) No.18411 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD)No.18411 of 2026

V.Ramanathan

... Petitioner

Vs.

1.The District Registrar,
Madurai District, Madurai.

2.The Sub-Registrar,
Sub-Registrar Office,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the second respondent herein to conduct an enquiry and remove the erroneous entries made in the Encumbrance Certificate in respect of the property situated in Survey No. 67/1B and consequently, direct the respondents to record and confirm the petitioner's lawful title and ownership over the said property in the relevant registration records by considering the petitioner's representation dated 20.04.2026.

For Petitioner : Ms.V.Muthulakshmi

For Respondents : Mr.S.Venkatesh
Government Standing Counsel



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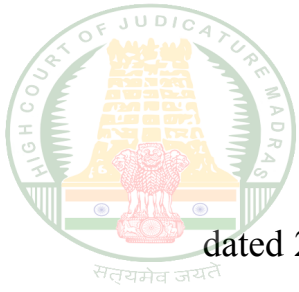
ORDER

WEB COPY The case of the petitioner appears to be that the petitioner's mother Meenakshi Ammal was the second wife of late. Venkatachalam and that during her lifetime, the petitioner's mother had executed a settlement deed dated 28.05.1997.

2. A perusal of the copy of the aforesaid settlement deed indicates that an extent of 1 Acre 85 Cents of land has been settled in favour of the petitioner. However, in the affidavit, the petitioner has stated that only 85 cents of land in S.No.67/1B has been settled in favour of the petitioner. A perusal of the aforesaid settlement deed *prima facie* indicates that it has not been registered. A copy of the Encumbrance Certificate has also not been produced.

3. The grievance of the petitioner is that there was a partition deed executed on 19.06.1998 by the legal heirs of Late Venkatachalam, the father of the petitioner, which was registered as Document No.2830 of 1998.

4. It submitted that in the said partition deed, a mistake has crept in as the properties settled by the petitioner's mother by settlement deed



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dated 28.05.1997 has been shown as the property of the petitioner's father.

As a result of which, a part of it, has been partitioned in favour of two sons and two daughters of the first wife of the petitioner's father and in favour of the petitioner and petitioner's brother through the petitioner's father's second wife [the petitioner's mother namely, Meenakshi Ammal].

5. The prayer sought for in this writ petition is clearly contrary to the mandate of Rule 143 of the Registration Rules. As per Rule 143, a certificate of encumbrance shall contain a complete list of all acts and encumbrances affecting the property in question.

6. As a matter of fact, the petitioner appears to have filed a suit before the District Munsif Court, Madurai in O.S.No.276 of 2005 for a declaration. In the said suit, the petitioner has, however, not challenged the registered partition deed dated 19.06.1998 referred to supra. However, the petitioner has secured an *ex parte* decree from the said Court on 28.03.2006. There are no other indications in the records available before this Court that the said judgment has been reversed.

7. The learned Standing Counsel for the respondents submits that



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several encumbrances have been made to the property thereafter. It is submitted that the representation of the petitioner has also unclear.

8. Considering the fact that there is no scope for deleting an entry made in the encumbrance for the property, the petitioner, at best, can be given liberty to register the decree obtained by him in O.S.No.276 of 2005 from the District Munsif Court, Madurai, vide judgment and decree dated 28.03.2006.

9. With the above liberty, the writ petition is disposed of. There shall be no order as to costs. Needless to state, the registration will be subject to limitation prescribed in law.

NCC : Yes / No
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01.07.2026

To

1.The District Registrar,
Madurai District, Madurai.

2.The Sub-Registrar,
Sub-Registrar Office,
Madurai.



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C.SARAVANAN, J.

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