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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 8952 of 2025

Samundeswari

Petitioner(s)

Vs

1. The District Registrar (Administration)
Chengalpet District, Chengalpet

2. The Sub Registrar,
Cheyyur, Chengalpet District

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent vide Refusal Number RFL/cheyyur/31/2025 dated 25.02.2025 and quash the same subsequently direct the 2nd respondent to register petitioner's document of settlement deed dated 02.01.2025 settling in favour of her daughter.



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For Petitioner(s): Mr.N.Ranjith Kumar

For Respondent(s): Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal Check Slip dated 25.02.2025 issued by the 2nd respondent and for a consequential direction to the 2nd respondent to register the Settlement deed dated 02.01.2025 executed by the petitioner in favour of her daughter.

2.Heard Mr.N.Ranjith Kumar, learned counsel appearing on behalf of the petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing on behalf of respondents 1 and 2.

3.The refusal Check Slip has been issued by the 2nd respondent mainly on the ground that the property originally belonged to the share of the mother and whereas, there was absolutely no material available to show that there was partition among the parties. The property vested on the mother and two brothers

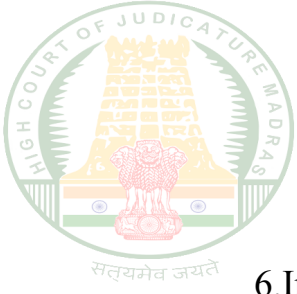
and the mother is said to have released her share in the property, apart from the



petitioner having 1/4th share in the property. Therefore, the petitioner cannot settle the property by mentioning the boundaries and at the best she can only settle her undivided share in the property.

4. In the considered view of this Court, patta has already been issued in the name of the petitioner in Patta No.3432. The properties that are mentioned in this patta is now sought to be settled by the petitioner in favour of her daughter. This document is sufficient enough to enable the petitioner to execute the Settlement Deed. It is not necessary for the 2nd respondent to unnecessarily get into the right and title over the property. In other words, the patta is a *prima facie* document to establish the right and title of the petitioner over the subject property. This property can always be settled by the petitioner in favour of her daughter.

5. In the light of the above discussion, the impugned refusal Check Slip issued by the 2nd respondent dated 25.02.2025, is hereby quashed and there shall be a direction to the 2nd respondent to register the Settlement Deed dated 02.01.2025, if it is otherwise in order.



6. In the result, this writ petition stands allowed with the above directions.

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No Costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1.The District Registrar Administration
Chengalpet District, Chengalpet

2.The Sub Registrar,
Cheyyur, Chengalpet Distrcet



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N.ANAND VENKATESH J.

SSR

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