



Writ Petition No.9054 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 18.03.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Writ Petition No.9054 of 2025**

1.S.Sukumar

S/o.P.S.Sundaram Naidu

2.P.S.Ashok Kumar

S/o.P.S.Sundaram Naidu

3.P.S.Chandramohan

S/o.P.S.Sundaram Naidu

... Petitioners

Vs.

The Sub-Registrar,  
Nemili Sub-Registrar Office,  
Nemili, Ranipet District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to rejection of document by the respondent by proceedings in Refusal Number:RFL/Nemili/17/2025 dated 21.02.2025 and quash the same and consequently direct the respondent to register the petitioners' deed of cancellation of security deed dated 19.02.2025 forthwith and release the same.

For Petitioners : Mr.A.Ilayaperumal

For Respondent : Mr.U.Baranidharan  
Special Government Pleader

\*\*\*\*\*



Writ Petition No.9054 of 2025

## **ORDER**

WEB COPY

This writ petition has been filed challenging the refusal check slip issued by the respondent dated 21.02.2025 and for a consequential direction to the respondent to register the deed of cancellation of security deed dated 19.02.2025 and release the document.

2. Heard Mr.A.Ilayaperumal, learned counsel for petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for respondent.

3. The refusal check slip has been issued by the respondent mainly on the ground that the cancellation of security cannot be done by the petitioners unilaterally and that they have to obtain an order of the Court.

4. It is seen from records that the petitioner's father had purchased some bonds. The petitioner's father died on 05.05.1965 leaving behind his wife and children as his legal heirs. They became entitled for the benefit that arises out of the bonds purchased by the father. A succession certificate was applied in G.P.No.4 of 1972. While



WEB COPY

disposing of the same, by order dated 26.04.1972, a direction was issued to the third petitioner to give security since the petitioners 1 and 2 were minors at the relevant point of time. Accordingly, the security was given and the succession certificate was issued. The deed of security dated 23.02.1973 was registered as document No.417 of 1973.

5. As a subsequent event in the year 1979, the family members have entered into a partition and the entire properties, both movable and immovable, were shared among the family members and this partition deed dated 25.07.1979 was also registered as document No.143/1979.

6. The petitioners wanted to cancel the security deed and accordingly, cancellation of the deed of security dated 21.02.2025 was prepared and presented before the respondent for registration and the same has been refused to be registered on the ground that the petitioner cannot unilaterally cancel the deed of security.

7. In the considered view of this Court, the deed of security does not have any meaning as on today since it was given only to protect the interest of the minors viz., petitioners 1 and 2 and they have already



Writ Petition No.9054 of 2025

attained majority and the properties have already been partitioned among themselves. Thus, the deed of security has served its purpose and it cannot survive for ever, more particularly, after the petitioners 1 and 2 attained majority. Therefore, the deed of cancellation of the security deed can be entertained and registered by the respondent, if it is otherwise in order.

8. In the result, the refusal check slip dated 21.02.2025 issued by the respondent is hereby quashed and there shall be a direction to the respondent to entertain the document and register the same, if it is otherwise in order.

This writ petition is accordingly allowed in the above terms.

No costs.

**18.03.2025**

Neutral Citation: Yes/No  
Index: Yes/no  
Speaking Order/Non-Speaking Order  
gm



WEB COPY



Writ Petition No.9054 of 2025

To

The Sub-Registrar,  
Nemili Sub-Registrar Office,  
Nemili, Ranipet District.



WEB COPY



Writ Petition No.9054 of 2025

**N.ANAND VENKATESH, J**

gm

**Writ Petition No.9054 of 2025**

**18.03.2025**