

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-04-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 11302 of 2025

AND

WMP NO. 12743 OF 2025

1. SELVARAJ

S/o.Late.Azhagappan Udayar,
No.183/1, East Street,
Ilaingiyanoor, Kannur Post,
Vepuur Taluk, Cuddalore
District.

2. SELVAMBAL

W/o.Selvaraj, No.183/1, East
Street, Ilaingiyanoor, Kannur
Post, Vepuur Taluk, Cuddalore
District.

Petitioner(s)

Vs

1. State Of Tamil Nadu
Rep. By Secretary To Govt.
Commercial Taxes And
Registration Dept. Fort St.
George, Chennai-600 009

2.The Inspector General Of
Registration,
Pattinapakkam, Chennai-600
028, Santhome.

3.The Sub Registrar
Nallur, Veppur Taluk,
Cuddalore Distirct.



Respondent(s)

PRAYER

Writ petition filed under Article 226 of Constitution of India for the issue of writ of Certiorarified Mandamus to call for records relating to impugned the Refusal check skip in Ref. Refusal Number RFL/ Nallur-Vridhachalam/ 2/ 2025 dt.29.01.2025 on the file of third respondent and to quash the same and to direct the 3rd respondent to admit and register the settlement deed dt.27/01/2025 executed by the petitioners in the Rs.25,000/- stamp papers i.e. Rs.5000/- stamps paper-in 5 series ie., in serial No.AA814928, BH457442, BH457443, BH457444 and DM574629 and collect the registration fee and assign document registration number in respect of the Iyan Punjai (i)S.No.138/7B measuring 1.07.5 Hectares ie., 2 acres 66 cents, (ii)S.No.138/8 measuring 0.01.0 Hectares ie., 2 cents, situate at Illangiyanoor village, Veppur Taluk, Cuddalore District.

For Petitioner(s): Mr.J.R.K.Bhavanantham

For Respondent: Mr.U.Baranidharan,
Special Government
Pleader
for R1 to R3

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 29.01.2025 issued by the 3rd

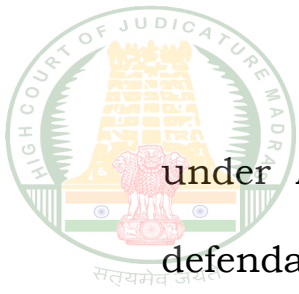


respondent and for a consequential direction to the 3rd respondent to register the settlement deed that was executed by the petitioners in favour of their son with respect to the subject property.

2. Heard Mr.J.R.K.Bhavanantham, learned counsel for the petitioners and Mr.U.Baranidharan, learned Special Government Pleader for respondents 1 to 3.

3. The refusal check slip has been issued by the 3rd respondent mainly on the ground that as per the compromise decree that was passed in OS No.1216 of 1992 before the District Munsif Court, Virudachalam dated 11.04.2000, apart from the petitioners two other defendants in the suit viz., defendants 5 and 6 must also join in the execution of the settlement deed. In the absence of the same, the 3rd respondent refused to register the settlement deed.

4. In the considered view of this Court, as per the compromise decree the property exclusively was given in favour of the 2nd petitioner. This property forms part of S1 Nos.1 and 2



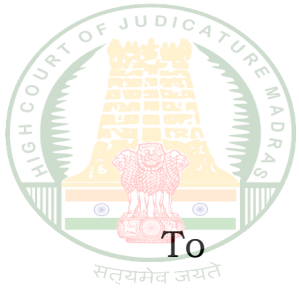
under A schedule. Therefore, there is no need for the other defendants to join the petitioners in executing the settlement deed. The settlement deed executed by the petitioners in favour of their son is perfectly in order.

5. In view of the above, the refusal check slip issued by the 3rd respondent dated 29.01.2025 is hereby quashed. There shall be a direction to the 3rd respondent to register the settlement deed, if it is otherwise in order.

6. This writ petition is allowed with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

07-04-2025

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Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



To

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