



W.P.No.11546 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.11546 of 2025

- 1.Raziya @ Raziya Begam
- 2.Noorjhon
- 3.Shameer Basha
- 4.Musthaque
- 5.Yasmeen Banu
6. Rafi
- 7.Mubeena
- 8.Mujeeb
- 9.Jabeen

.... Petitioners

Vs

- 1.The Sub Registrar Office
Pennagaram Town
Pennagaram
Dharmapuri District - 636 810.

- 2.Basha

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records in impugned Refusal Check Slip RFL/PENNAGARAM/51/2025 dated 19.03.2025 on the file of the first respondent to quash the same and consequently direct the first



W.P.No.11546 of 2025

respondent to register the partition deed dated 19.03.2025 pertains to TP/21395
7618/2025.

WEB COPY

For Petitioners : Mr.K.Govi Ganesan
For Respondents : Mr.U.Baranidharan
Special Government Pleader for R1

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 19.03.2025 issued by the first respondent and for a consequential direction to the first respondent to register the partition deed dated 19.03.2025 and release the document.

2. Heard Mr.K.Govi Ganesan, learned counsel appearing for the petitioners and Mr.U.Baranidharan, learned Special Government Pleader for first respondent.

3. The case of the petitioners is that the subject property was originally purchased by one Adbul Sukur, the father of petitioners 1 and 2, through a registered sale deed dated 09.01.1954, registered as Document No.931/1954.



W.P.No.11546 of 2025

WEB COPY

After the demise of their parents, there was a dispute in the family, which resulted in filing of a suit for partition in O.S.No.103/2012 on the file of District Munsif cum Judicial Magistrate Court, Pennagaram. Initially, an exparte decree was passed and later it was set aside. Ultimately, all the parties reached a compromise and a settlement memo was submitted before the Lok Adalath. Pursuant to the same, an award was passed and this award was also registered on the file of the first respondent. Subsequently, the respective shares of the co-owners have been identified by metes and bounds and therefore, the petitioners wanted a formal partition deed to be entered into and presented for registration.

4. When this partition deed dated 19.03.2025 was presented for registration along with the sketch, the same was refused to be registered by the first respondent on the ground that the property has not been surveyed and the boundaries have not been demarcated as per the settlement memo that was acted upon while passing the award before the Lok Adalath.

5. In the considered view of this Court, the parties to the suit have reached



W.P.No.11546 of 2025

a compromise and they have also come up with a specific case that the property has been divided into metes and bounds and the respective shares of the co-owners have been identified and accordingly, they have entered into a partition. Under such circumstances, when there is a specific recital to that effect in the partition deed itself and the partition deed is also accompanied by a sketch, which shows the respective shares of the co-owners, there can be no objection for the first respondent to register the document and release the same.

6. In the light of the above discussion, the impugned refusal check slip issued by the first respondent is hereby quashed and the first respondent shall entertain the partition deed presented by the petitioners and register the same, if it is otherwise in order.

7. This writ petition is allowed in the above terms. No costs.

01.04.2025

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ds

4/6



W.P.No.11546 of 2025

WEB COPY

To:
The Sub Registrar Office
Pennagaram Town
Pennagaram
Dharmapuri District - 636 810.



WEB COPY



W.P.No.11546 of 2025

N. ANAND VENKATESH., J

ds

W.P.No.11546 of 2025

—

01.04.2025