



WP No. 14337 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 14337 of 2025

D.Rajamanickam,
Son of Duraisamy Gounder,
Door No. 38A, Valluvar Street,
Bilparuthi Village and Post,
Pappireddipatti Taluk,
Dharumapuri District - 635 301.

Petitioner(s)

Vs

1.The Tahsildar,
Pappireddipatti, Dharumapurai District.

2.The District Registrar,
Integrated Complex,
Salai Vinayagar Kovil Road,
Near to Dharmapuri Taluk Office Campus,
Dharmapuri – 636 701.

3.The Sub-Registrar,
Pappireddipatti Sub-Registrar Office,
Pappireddipatti,
Dharmapuri District.

Respondent(s)



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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders passed by 3rd respondent herein refusal check slip in Refusal Nos. RFL/ Pappireddipatti / 1/2025 dated 28.01.2025 and RFL / Pappireddipatti /2/2025 dated 28.01.2025 and quash the same and further direct the 3rd respondent to register the settlement deed presented by the Petitioner in respect of 3.90 Acres out of which 3.80 Acres comprised in Punja S.No. 37/5 and 10 cents in S.No. 37/6 in Ottupatti, B. Mallapuram Village, Pappireddipatti Taluk and Dharmapuri District within a period stipulated by this Court.

For Petitioner(s): Mr.P.Rajavel

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

ORDER

This writ petition has been filed by the petitioner seeking to call for the records pertaining to the impugned orders passed by 3rd respondent herein vide refusal check slip in Refusal Nos.RFL/Pappireddipatti/1/2025 dated 28.01.2025



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and RFL/Pappireddipatti /2/2025 dated 28.01.2025 and quash the same and further to direct the 3rd respondent to register the settlement deeds presented by the Petitioner in respect of 3.90 Acres out of which 3.80 Acres comprised in Punja S.No. 37/5 and 10 cents in S.No.37/6 in Ottupatti, B. Mallapuram Village, Pappireddipatti Taluk and Dharmapuri District.

2.Learned counsel for the petitioner would submit that the petitioner purchased the subject property through a registered sale deed dated 11.02.1975. Since an attempt was made by the Government officials to interfere with the possession and enjoyment of the subject property, the petitioner filed a suit in O.S.No.31 of 1996 for declaration of title and permanent injunction and the same was decreed in favour of the petitioner through judgment and decree dated 11.09.2003. Subsequently, patta was also granted in the name of the petitioner. Thereafter, since some third parties attempted to interfere with the possession of the subject property, the petitioner filed a suit in O.S.No.477 of 2008, seeking permanent injunction with respect of the subject property and the said suit was



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also decreed in favour of the petitioner and further, the suit filed by the third parties claiming right of way over the subject property was rejected by the competent Civil Court on 31.01.2014 in O.S.No.483 of 2008. Thus, the petitioner is the absolute owner of the subject property. However, based on the complaint given by the third parties, the patta issued in favour of the petitioner was cancelled by the 2nd respondent through his proceedings dated 25.06.2015.

3.He would further submit that challenging the proceedings of the 2nd respondent cancelling the issuance of patta, the petitioner filed W.P.Nos.21128 and 14685 of 2015, dated 21.07.2022 before this Court and this Court considering the fact that the ownership of the subject property was decided in favour of the petitioner, had directed the 3rd respondent to restore the patta in the name of the petitioner. Based on the said order, the patta was also issued in favour of the petitioner for the subject property on 24.12.2023. Subsequently, the petitioner intend to settle the subject property in favour of his sons and executed the settlement deeds and presented for registration. However, the 3rd



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respondent refused to register the said settlement deeds on the ground that a letter has been received by the 3rd respondent stating not to register the document pertaining to the subject property citing the appeals preferred by the 1st respondent against order made in W.P.Nos.21128 and 14685 of 2015, dated 21.07.2022. Hence, the present writ petition.

4.Learned Special Government Pleader appearing for the respondents would submit that since an objection letter has been received to register the documents pertaining to the subject property citing the appeals preferred by the 1st respondent against order made in W.P.Nos.21128 and 14685 of 2015, dated 21.07.2022, the 3rd respondent refused to register the settlement deeds.

5.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents and perused the materials on record.



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6. Considering the submissions made by either parties, it is evident that, the ownership of the subject property was decided in favour of the petitioner by the Civil Court in the suit filed by the petitioner in O.S.No.31 of 1996 vide judgment and decree dated 11.09.2003. Thereafter, the suit filed by the third parties claiming right of way over the subject property was also rejected by the Competent Civil Court in O.S.No.483 of 2008 through judgment and decree dated 31.01.2014 and the suit in O.S.No.477 of 2008 filed by the petitioner against those third parties seeking permanent injunction was also decreed in favour of the petitioner vide judgment and decree dated 30.01.2013. Considering all these aspects, this Court in W.P.Nos.21128 and 14685 of 2015, dated 21.07.2022 directed the 3rd respondent to restore the patta in the name of the petitioner for the subject property and accordingly, the patta was also restored in the name of the petitioner. Under such circumstances, the petitioner is the owner of the subject property and now he intend to settle the subject property in favour of his sons by executing the settlement deeds. In such case, the 3rd respondent cannot refuse to register the same citing the appeals filed



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against the order made in W.P.Nos.21128 and 14685 of 2015 since as on date, the petitioner is the owner of the property and when there is no order of stay granted in the appeal filed against order of restoration of patta, the right of the petitioner cannot be questioned.

7.Thus, this Court is inclined to set aside the impugned refusal check slips and accordingly, the impugned refusal check slips dated 28.01.2025 are set aside. While setting aside the impugned refusal check slips, this Court directs the 3rd respondent to register the settlement deeds executed by the petitioner in favour of his sons, forthwith, upon the re-presentation of the same.

8.With the above directions, this writ petition is disposed of . 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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Pappireddipatti, Dharumapurai District.

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