



W.P.No.13429 of 2019

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.13429 of 2019
and
W.M.P.Nos.13534 and 13536 of 2019

1. D.Dhananjeyan
2. Lakshmi

... Petitioners

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai – 600 028.
2. The District Registrar,
Chidambaram,
Chidambaram Taluk,
Cuddalore District.
3. The Sub-Registrar,
Puduchatram, Bhuvanagiri Taluk,
Cuddalore District.
4. Sivagami
R-4 impleaded vide order dated 08.07.2019 made in
W.M.P.No.19289 of 2019 in W.P.No.13429 of 2019

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution praying to issue a Writ of Certiorarified Mandamus, to call for the records from the respondents and quash the circular passed by the first respondent in his letter No.18339/C1/2012 dated 25.04.2012 and the order dated 13.03.2019 of the third respondent returning the document dated 13.03.2019 and consequently direct the respondents to register the settlement deed dated 10.12.2018 executed by the first petitioner in favour of the second petitioner.

For Petitioners : Mr.D.Baskar

For Respondents: Mr.U.Bharanidharan,
Special Government Pleader
(for R1 to R3)
No appearance (for R4)

ORDER

This Writ Petition has been filed challenging the refusal check slip issued by the third respondent dated 13.03.2019, thereby refusing to register the settlement deed executed by the first petitioner in favour of the second petitioner, on the ground that there was another registration in respect of the very same subject property.



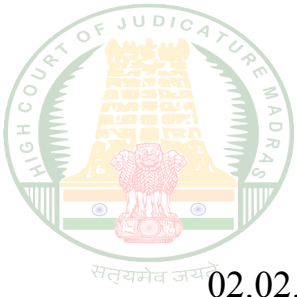
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2. Though notice was served to the fourth respondent and the name of the fourth respondent is printed in the cause list, no one appeared on behalf of the fourth respondent. Heard the learned counsel for the petitioners and the learned Special Government Pleader appearing for the first to third respondents and perused the materials available on record.

3. The property comprised in S.No.208/1 to an extent of 1.15 acres, comprised in S.No.208/2 to an extent of 60 cents, and comprised in S.No.173/6E to an extent of 32 cents, totaling 2.07 acres, situated at Villianallur Village, Bhuvanagiri Taluk, Cuddalore District, belonged to the first petitioner. One Chidambara Padayachi had one son and two daughters, viz., Ramalingam, Sivagami, and Jayalakshmi. The said Ramalingam got married to the daughter of his sister Sivagami. After his marriage, he had two sons, viz., Balraj and Sivaraj, and one daughter, viz., Priya. The said Priya got married to one Suresh Kumar.

4. While being so, the said Ramalingam, who was the Kartha of his joint family, sold the aforesaid properties to one Elayaperumal, who was none other than his brother-in-law's brother, by sale deed dated



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02.02.1994. Thereafter, the said Ramalingam played a mischief by including the properties that were sold in favour of the said Elayaperumal and partitioning the properties along with his sons. The subject properties were allotted in favour of one Balraj, who is the son of the said Ramalingam. Thereafter, the said Balraj executed a power of attorney in favour of his father, Ramalingam.

5. On the strength of the power of attorney, the said Ramalingam fabricated a sale deed as if it was executed by the said Elayaperumal in respect of the very same subject property in his favour. Thereafter, the subject property was sold out in favour of his son-in-law, viz., Suresh Kumar, by registered sale deed dated 29.06.2009. Therefore, the said Elayaperumal lodged a complaint. While the enquiry was pending, the said Ramalingam and his son-in-law Suresh Kumar executed a sale deed in favour of the said Elayaperumal in respect of the subject property. Thereafter, the first petitioner purchased the subject property by registered sale deed dated 24.09.2012 from the said Elayaperumal.



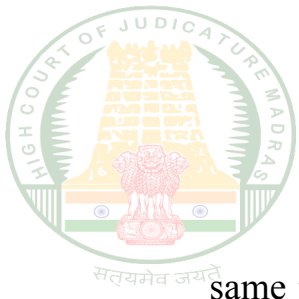
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6. While being so, the said Ramalingam filed a vexatious suit in respect of the subject property, and the same was dismissed. Once again, the said Balraj also filed a suit in O.S.No.36 of 2011 for declaration and injunction in respect of the same subject property. Subsequently, the said suit was dismissed by the judgment and decree dated 30.06.2015, and the title was declared in favour of the first petitioner herein.

7. Once again, the said Ramalingam's sister, viz., the said Sivagami, filed a suit for partition in respect of the subject property in O.S.No.71 of 2012 before the District cum Judicial Magistrate, Parangipettai. Subsequently, it was dismissed by the judgment and decree dated 28.11.2016. Therefore, the title in respect of the subject property was already declared in favour of the first petitioner.

8. In view of the above, the first petitioner executed a settlement deed in favour of his wife and presented it for registration. However, it was returned for the reason that there was already a deed for the very



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same property. As stated supra, the Civil Court now declared the title in favour of the first petitioner in respect of the subject property. Therefore, he can deal with the property without any impediment.

9. Though initially there was a sale deed in respect of the very same property by the said Ramalingam, subsequently, the property was registered in favour of the first petitioner's vendor, viz., the said Elayaperumal. Therefore, it would not amount to a double document for the same property.

10. In view of the above facts and circumstances, the impugned check slip issued by the third respondent cannot be sustained and is liable to be quashed. Accordingly, the impugned check slip dated 13.03.2019 is hereby quashed. The first petitioner is at liberty to re-present the settlement deed executed in favour of the second petitioner for registration within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to register the same and release it if otherwise in order. It is made clear that the question of limitation for presentation of the settlement deed for



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registration does not arise in this case.

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11. In the result, this Writ Petition is allowed as indicated above.

Consequently, the connected Miscellaneous Petitions are closed. No costs.

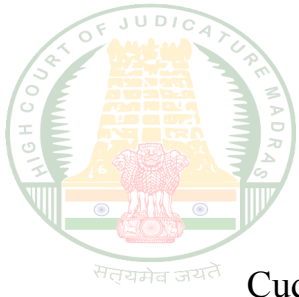
11.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Pattinapakkam, Chennai – 600 028.
2. The District Registrar,
Chidambaram,
Chidambaram Taluk,

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3. The Sub-Registrar,
Puduchatram, Bhuvanagiri Taluk,
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