



W.P.No.17065 of 2025

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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2025

CORAM:

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.17065 of 2025

1. S. Hari
2. S. Ravi
3. S. Ramesh

.. Petitioners

Vs.

1. The District Registrar (Administration)
10, Kancheepuram High Road
Chengalpet 603 002.
2. The Sub-Registrar
Sub-Registration Office, Sriperumbudur.

3. D.Purusothaman

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus, calling for records of the impugned order made by the second respondent herein in his proceedings in Niluvai Aavana No.P189/2024 dated 04.03.2025 and quash the same and consequently direct the 2nd respondent herein to register the Partition Deed dated 07.08.2024 filed by the petitioners herein.

For Petitioners : Mr.P.Dinesh Kumar

For Respondents : Mr.Abishek Murthy
Government Advocate
for R1 and R2



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ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself. In view of the order that this Court proposes to pass and also the limited relief that is sought to be granted, notice to the third respondent is dispensed with.

2. The present writ petition is filed challenging the impugned order dated 04.03.2025, whereby, the petitioner's request to register the settlement deed was refused on the premise that the validity/genuinity of the settlement deed ought to be tested only before the Competent Civil Court.

3. It is the case of the petitioner that the same cannot be a reason for refusing to register the settlement deed. The only reason that could have clothed the Authority is the existence of the circumstances set out under Section 22A r/w Rule 55 of the Tamil Nadu Registration Act and Rules.

4. On this point, the learned Government Advocate for the



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respondents would submit that, as a matter of fact, the allegation that was raised by the third respondent was that the joint compromise agreement is forged and was obtained fraudulently and thus, the second respondent was within its jurisdiction in passing the impugned order.

5. On perusal of the impugned order, I do not find anywhere in the order that the reason for refusing registration was because of documents being forged. There is no finding on the aspect of forgery or the documents being fraudulent. On this being pointed out, the learned Government Advocate for the respondents would submit that they would re-do the entire exercise after putting the petitioner and the third respondent on notice, which was agreed to by the learned counsel for the petitioner.

6. In light of the above, the impugned order stands set aside and the matter is remitted back to the second respondent for reconsidering the issue afresh, after affording the petitioner and the third respondent a reasonable opportunity of hearing, within a period of twelve weeks from the date of receipt of a copy of this order. It is open to the petitioner to approach the second

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respondent to furnish a copy of the protest letter by third respondent. If any such request is made, the same would be made available to the petitioner at his cost.

7. The writ petition, as such, stands disposed of. However, there shall be no order as to costs. W.M.P.No.19350 of 2025, petition filed seeking permission to file a single writ petition, stands ordered, inasmuch as the petitioners have paid separate set of Court fees.

03.06.2025

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

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To:

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MOHAMMED SHAFFIQ, J.

(drm)

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