



W.P. No.21660 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.21660 of 2025

and

W.M.P.No.24446 of 2025

1. A.Humayun

2. R.Selvakumar

... Petitioner(s)

Vs.

1. The Inspector General of Registration,
Mylapore, Chennai 600 004.

2. The Sub Registrar/Joint Sub Registrar -I,
Mayiladuthurai 609 203.

... Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 2nd respondent dated 02.06.2025 passed in Refusal No:RFL/Mayiladuthurai Joint I/40/2025 and to quash the same and direct the respondents to receive the Release Deed dated 02.06.2025 executed by the 2nd petitioner in favour of the 1st petitioner and to register the same in accordance with law and procedure and return the same with due endorsement of registration.

For Petitioner(s)

: Mr.W.M.Abdul Majeed



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W.P. No.21660 of 2025

For Respondents

: Mr.U.Baranidharan
Special Government Pleader

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of certiorarified mandamus, to quash the impugned order dated 02.06.2025 passed by the 2nd respondent in Refusal No:RFL/Mayiladuthurai Joint I/40/2025 and to consequently direct the respondents to receive the Release Deed dated 02.06.2025 executed by the 2nd petitioner in favour of the 1st petitioner and to register the same .

3. It is submitted by the learned counsel for the petitioner that the 1st petitioner's father Janab Abdul Majeed was the absolute owner of the land and super structure comprised in Survey No.389/10, admeasuring 5.50 Ares and Old Survey No.378/2, New Survey No.378/5 admeasuring 3.29 Ares, situated at Door No.17/4, South Street, presently called as Arabi Street, Nidur Village, Mayiladuthurai Taluk, Myladuthurai District. It is further submitted that the 1st petitioner's father, Janab Abdul Majeed died on 22.01.2021 leaving behind



W.P. No.21660 of 2025

following legal heirs:

1. Humayaun, son, (1st petitioner herein);
2. Nazimudeen, son;
3. Mohamed Jameel, son;
4. Abdul Bari, son;
5. Thinsa Beevi, daughter;
6. Salahudeen, son;
7. Ameen, son;

3.2. It is submitted by the learned counsel for the petitioner that apart from the above legal heirs including 6 sons and 1 daughter who were alive at the time of 1st petitioner's father death, two other children viz., Ayoob (son) and Jerina (daughter) pre deceased 1st petitioner's father.

3.3. It is submitted by the learned counsel for the petitioners that two sons of Janab Abdul Majeed viz., Nazimudeen and Mohamed Jameel died on 11.05.2021 and 10.12.2024 leaving behind their legal heirs.

3.4. It is submitted by the learned counsel for the petitioners that the legal heirs of Janab Abdul Majeed, decided to execute a Release Deed in favour of 1st petitioner in respect of the subject property. The said legal heirs are residing in Thailand. The 2nd petitioner herein was appointed as power agent under a Special Power Of Attorney dated 29.04.2025, registered as Document No.29 of 2025



W.P. No.21660 of 2025

before Joint I Sub Registrar, Mayiladuthurai by legal heirs of Janab Abdul

Majeed. The said Special Power of Attorney was executed by the legal heirs of Janab Abdul Majeed, for the purpose of executing a Release Deed in 1st petitioner's favour.

3.4. It is submitted by the learned counsel for the petitioner that 2nd petitioner (power agent) executed a Release Deed dated 02.06.2025 in 1st petitioner's favour and presented the same before the 2nd respondent for registration. However, the 2nd respondent, issued a check-slip dated 02.06.2025, refusing to register the Release Deed dated 02.06.2025 stating that pre deceased legal heirs of the 1st petitioner's father viz., Ayoob and Jerina Beevi have not been included in releasing the entire property in 1st petitioner's favour. It is submitted that the 2nd respondent cited a circular passed by the 1st respondent dated 08.11.2013, while refusing to register the Release Deed.

3.5. It is submitted by the learned counsel for the petitioner that the said circular dated 08.11.2013, merely directs the registering authority to ensure that the executors of the document have the right to execute the document, but does not provide for refusal of registration by 2nd respondent.



W.P. No.21660 of 2025

4. When this was pointed out the learned Special Government Pleader for the respondent would submit that the petitioner shall re-submit the document and the same would be registered, if it is otherwise in order.

5. In view thereof, the impugned order is set aside, the petitioners shall re-submit the Release Deed for registration. If any such Release Deed is filed by the petitioners the same shall be registered if it is otherwise in accordance with law. If for any reason, the registering authority refuses to register the Release Deed, the same would be done by issuing a refusal slip assigning reason.

6. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

19.06.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:

1. The Inspector General of Registration,
Mylapore, Chennai 600 004.

2. The Sub Registrar/Joint Sub Registrar -I,
Mayiladuthurai 609 203.



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W.P. No.21660 of 2025

MOHAMMED SHAFFIQ, J.

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W.P. No.21660 of 2025

19.06.2025