



W.P.No.25817 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.25817 of 2025

Rajeshwari,
W/o.Arumugam

... Petitioner

Vs.

1.The District Registrar (Administration),
Chengalpattu District,
Chengalpattu.

2.The Sub Registrar,
Thiruporur,
Chengalpattu District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the 2nd respondent to release the petitioner's Settlement Deed vide Document No.P/Thiruporur/263/2025 dated 05.07.2025 on the file of the 2nd respondent.

For Petitioner : Mr.N.Ranjith Kumar

For Respondents : Mr.U.Baranidharan
Special Government Pleader



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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.

2. The present writ petition is filed for a writ of mandamus, to direct the 2nd respondent to release the petitioner's Settlement Deed vide Document No.P/Thiruporur/263/2025 dated 05.07.2025 on the file of the 2nd respondent.

3. According to the petitioner, she obtained properties comprised in S.No.821/3B measuring an extent of 0.07 ½ cents and S.No.321/5B measuring an extent of 0.18 ½ cents, situated at Thaiyur Village, Thiruporur Taluk, Chengalpattu District by virtue of a registered Settlement Deed bearing Doc.No.8773 of 2015 dated 07.07.2015, executed by her brothers and now the petitioner intends to settle the said properties in favour of her son namely Ezhilkumar and accordingly, petitioner executed a Settlement Deed and presented the same before the 2nd respondent, who in turn after registration of the Settlement Deed, kept it as pending, without releasing it to the petitioner. Hence, this writ petition.



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4. The learned counsel for the petitioner would submit that, the 2nd respondent as a Registering Authority cannot hold the Settlement Deed as pending, since already the Settlement Deed was registered vide Doc.No.P/Thiruporur/263/2025 dated 05.07.2025. In support of his contention, the learned counsel for the petitioner has placed reliance on the decision of this Court in **“B.Rajappa and another Vs. The Special Deputy Collector (Stamps), The Office of the Collectorate (V Floor), Mr.Singaravelar Maligai, Rajaji Salai, Madras and others, reported in 2002 (3) CTC 544”**. In Paragraph 13, this Court held as follows:-

“13. In the light of the said provisions, the learned Advocate General had to necessarily admit that the respondents have no authority or jurisdiction to retain the documents once it has been registered. Even assuming that there is scope for reference in respect of alleged under-valuation, the registering authority has no authority to retain the documents and this is also clear from the provisions of Section 52, 59 and 60 of the Indian Registration Act.”

5. At the outset, the learned Special Government Pleader appearing for the respondents would submit that, after registration of Settlement Deed, they kept it pending only for verification of patta and to get details of the subject property



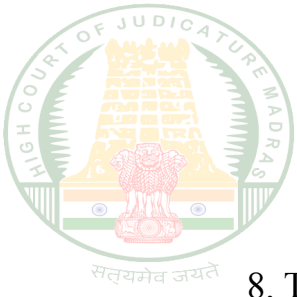
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from some other Sub Registrar Office and for further inquiry, and the same would be carried out and the Settlement Deed dated 05.07.2025 would be released within a time frame to be fixed by this Court, which was agreed to by the learned counsel for the petitioner.

6. It is settled law that after registration of the Settlement Deed vide Doc.No.P/Thiruporur/263/2025 dated 05.07.2025, the Registering Authority has no jurisdiction to retain the same without releasing it to the concerned.

7. In view of the same, taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 2nd respondent to release the Settlement Deed registered vide Doc.No.P/Thiruporur/263/2025 dated 05.07.2025, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order if it is otherwise in order. It is made clear that this Court has not expressed any views with regard to the merits of the matter and it is open to the 2nd respondent to consider the matter on its own merits and in accordance with law.



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8. This writ petition stands disposed of with the above direction. No costs.

18.07.2025

Speaking (or) Non Speaking Order

Neutral Citation : Yes / No

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To

1.The District Registrar (Administration),
Chengalpattu District,
Chengalpattu.

2.The Sub Registrar,
Thiruporur,
Chengalpattu District.



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MOHAMMED SHAFFIQ, J.

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