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W.P.No.28995 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated : 07.08.2025**

**Coram:**  
**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P.No.28995 of 2025**

Mrs.Kaliyammal

...Petitioner

Versus

The Sub Registrar,  
Jolarpet SRO,  
Thirupathur District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records pertaining Refusal Check Slip issued by the respondent vide Refusal Slip No.RFL/Jolarpet/22/2025 dated 09.07.2025 and quash the same as illegal, incompetent and ultra-vires and consequently, direct the respondent to register the Release Deed dated 08.07.2025 regarding the land comprised in Survey No.155/5 measuring 1.20 Acres situated at Yelagiri Hills Village, Thirupathur Taluk and District.

For Petitioner : Mr.R.Muthukumar

For Respondent : 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 relief sought in this writ petition is to quash the Refusal Check Slip No.RFL/Jolarpet/22/2025 dated 09.07.2025 issued by the respondent and consequently direct the respondent to register the Release Deed dated 08.07.2025 in respect of the land comprised in Survey No.155/5 measuring an extent of 1.20 Acres situated at Yelagiri Hills Village, Thirupathur Taluk, Thirupathur District.

3. The learned counsel for the petitioner submitted that on 09.07.2025, petitioner presented a Release Deed dated 08.07.2025 before the respondent for registration. However, the respondent vide Refusal Check Slip No.RFL/Jolarpet/22/2025 dated 09.07.2025, refused to register the said Release Deed by stating that as per Letter dated 10.08.2007 bearing Na.Ka.A3/1776/2006 issued by the Revenue Divisional Officer, Thirupathur, the property comprised in Survey No.155 situated at Yelagiri

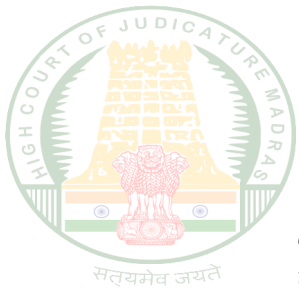


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Hills Village is a barred/banned property and hence, petitioner is required to obtain No Objection Certificate (NOC) from the Revenue Divisional Officer, Thirupathur or to obtain an order from the Court for registering the Release Deed.

3.1. It is further submitted by the learned counsel for petitioner that the Release Deed dated 08.07.2025 which was presented for registration relates to the property comprised in Survey No.155/5 measuring an extent of 1.20 Acres situated at Yelagiri Hills Village, Thirupathur Taluk, Thirupathur District and the said Release Deed is not related to the property comprised in Survey No.155 situated at Yelagiri Hills Village, Thirupathur District.

3.2. The learned counsel for the petitioner drew the attention of this Court to the Order dated 03.03.2025 in W.P.No.5476 of 2025, wherein, it has been held by this Court that there is no bar to deal with the property comprised in Survey No.155 situated at Yelagiri Hills Village. For better appreciation, it may be relevant to extract relevant paragraph viz., Paragraph No.13 of the said order which reads as under:



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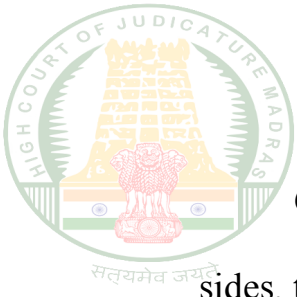


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*“13. Insofar as W.P.Nos.5499, 5500 and 5484 of 2025 are concerned, these are writ petitions which arise out of a wrong understanding of the proceedings of the Revenue Divisional Officer dated 10.08.2007. In W.P.Nos.5499 & 5500 of 2025, the petitioners have sought for lifting the ban order with respect to the subject property. The subject property in these two writ petitions are S.Nos.155/4 and 311. Insofar as S.No.311 is concerned, this Court has already held that there was no bar. Insofar as S.No.155/4 is concerned, even as per the proceedings of Revenue Divisional Officer dated 10.08.2007, there is no bar with respect to dealing with the entire property in S.No.155. Therefore, when there is no bar in dealing with these properties, there is no requirement to issue any further directions to the respondents to lift the ban order. The requirement for lifting the ban order will arise only if the proceedings dated 10.08.2007 has categorised the properties as one of Government lands and in the absence of the same, there is no need for issuing any direction and these properties can be dealt with since there is no bar / ban imposed by the proceedings of the Revenue Divisional Officer dated 10.08.2007.”*

4. The learned Special Government Pleader appearing for the respondent submitted that if the petitioner re-presents the Release Deed, the respondent would consider the same in the light of the Order dated 03.03.2025 in W.P.No.5476 of 2025 passed by this Court and register the same, if it is otherwise in order. He further submitted that if the registration of Release Deed is refused for any reasons, the respondent would issue a Refusal Check Slip/Order assigning the reasons for refusal.

5. The above submission made by the learned Special Government Pleader for the respondent has been fairly conceded by the learned counsel for the petitioner.



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6. Considering the submissions made by the learned counsel on both sides, this Writ Petition is disposed of with the following directions:

(i) The impugned Refusal Check Slip No.RFL/Jolarpet/22/2025 dated 09.07.2025 issued by the respondent is quashed.

(ii) The petitioner is directed to re-present the Release Deed before the respondent for registration.

(iii) On re-presentation of Release Deed by the petitioner, the respondent shall consider the said Release Deed in the light of the Order dated 03.03.2025 in W.P.No.5476 of 2025 passed by this Court and register the same, if it is otherwise in order.

(iv) If for any reason, registration of Release Deed is sought to be refused, the respondent shall issue a Refusal Check Slip/Order after assigning appropriate reasons.

(v) It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the respondent to consider the matter on its own merits and in accordance with law. No costs.

**07.08.2025**

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Index : Yes/No



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Speaking Order (or) Non-Speaking Order

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To

The Sub Registrar,  
Jolarpet SRO,  
Thirupathur District.



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**MOHAMMED SHAFFIQ, J.**

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