



W.P.No.28627 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 28627 of 2024

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W.M.P.No. 31218 of 2024

1.M.Manoharan

2.M.Janarthanan

3.M.Balakrishnan

4.V.Banumathi

5.R.Manjula

...Petitioner

Vs.

1.The Deputy Inspector of Registration
Integrated Building of Registration Department,
Vappammara Street
Valappadi,
Vellore 632 001

2.The District Registrar (Admin)
Integrated Building of Registration Department,
Vappammara Street,
Valappadi,
Vellore 632 001



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3.The Sub Registrar
Sub Registrar Office
Katpadi,
Vellore

4.J. Munisamy

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent herein passed in Appeal no 5472 / AA1 / 2022 dated 11.05.2023 confirming the orders of the 2nd respondent herein passed in No. 2383 / E3 / 2022 dated 19.09.2022 declaring the deed of relinquishment executed by 4th and 5th petitioners in favour of petitioners 1 to 3 dated 27.08.2021 registered as Document no. 7444 of 2021 on the file of Sub Registrar Office, Katpadi, with regard to 2/3rd shares in S.No 74/5, Melpadi Village, Katpadi Taluk, Vellore District, measuring an extent of 15 cents as irregular and cancelled as illegal, ultravires and beyond their competence and quash the same and consequently direct the 3rd respondent to remove the remarks made against subject property in the Encumbrance Certificate maintained by them.



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For Petitioners : Mr. P.Kannan

For Respondents : Mrs. C.Meera Arumugam
1 to 3 Additional Government Pleader

For Respondent 4: Ms. K.Jenitha

ORDER

The Writ Petition is filed for the following relief:

“To call for the records of the 1st respondent herein passed in Appeal no 5472 / AA1 / 2022 dated 11.05.2023 confirming the orders of the 2nd respondent herein passed in No. 2383 / E3 / 2022 dated 19.09.2022 declaring the deed of relinquishment executed by 4th and 5th petitioners in favour of petitioners 1 to 3 dated 27.08.2021 registered as Document no. 7444 of 2021 on the file of Sub Registrar Office, Katpadi, with regard to 2/3rd shares in S.No 74/5, Melpadi Village, Katpadi Taluk, Vellore District, measuring an extent of 15 cents as irregular and cancelled as illegal, ultravires and beyond their competence and quash the same and consequently direct the 3rd respondent to remove the remarks made against subject property in the Encumbrance Certificate



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maintained by them”.

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2. Today, the learned counsel for the petitioners on instructions from his clients reverted that the petitioners are willing to delete S.No.74/5 from the schedule of properties. The learned counsel would further submit that they are willing to re-present the release deed after deleting S.No.74/5 from the schedule of properties.

3. The learned counsel for the 4th respondent have no objection for registration of the release deed subject to the deletion of S.No.74/5 from the schedule of properties.

4. Heard the learned counsels on the either side and perused the records.

5. The petitioner shall delete S.No.74/5 from the schedule of properties. On release deed being presented with the amended schedule, the release deed shall be registered, within a period of 2



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weeks from the date of its re-presentation.

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6. The Writ Petition is disposed of with the above lines.

Consequently, the connected miscellaneous petition is closed. No costs.

03.01.2025

Index : Yes/No
Internet : Yes/No
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P.T. ASHA, J,

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