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W.P.No.33885 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2025

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.33885 of 2025

and

W.M.P.No.38017 of 2025

1. V.JAYARAJ
2. J.LEVINGSTON
3. NELSON

..Petitioners

Vs.

- 1 THE COMMISSIONER OF LAND REFORMS,
COMMISSIONERATE OF LAND REFORMS
EZHILAGAM, CHEPAUK, CHENNAI 600 005.
- 2 THE INSPECTOR GENERAL OF REGISTRATION
100 SANTHOME HIGH ROAD
RAJA NNAMALAIPURAM CHENNAI 600 028.
- 3 THE SUB REGISTRAR,
SUB REGISTRAR OFFICE
DHARAPURAM, TIRUPPUR DISTRICT.

..Respondents

Prayer :-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records of the impugned Refusal Check Slip dated 05.08.2025 in RFL/ Dharapuram/23/2025 issued by the 3rd respondent and to quash the said refusal as illegal, arbitrary and violative of Article 300A of the Constitution of India, consequently, to direct the 3rd respondent to register the Family



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Settlement Deed dated 04.08.2025 presented by the petitioners in accordance with law.

For Petitioner : Mr.R.Prabakar

For Respondent-1 : Mrs.S.Indhu Bala
Additional Government Pleader

For Respondents-2 & 3 : Mr.U.Baranidharan
Special Government Pleader

Order

With consent, the main Writ Petition is taken up for final disposal at the stage of admission itself.

2. The prayer, in this Writ Petition is to quash the Refusal Check Slip dated 05.08.2025 issued by the 3rd respondent and consequently, to direct the 3rd respondent to register the Family Settlement Deed dated 04.08.2025 presented by the petitioners in accordance with law.

3. Learned counsel for the petitioners would submit that the petitioners being the absolute owners of the subject properties executed a settlement deed dated 04.08.2025 in favour of one V.Gunamani, however,



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when the same was presented before the third respondent for registration, the third respondent refused to register the same by citing the reason that a communication was received from the Commissioner of Land Administration and Commissioner of Land Reforms/first respondent, instructing the third respondent not to register any documents for registration in respect of the subject land, and therefore, the the petitioner has filed the present Writ Petition seeking for the aforesaid relief.

3.1 It is the contention of the learned counsel for the petitioner that the third respondent ought not to have refused to register the sale deed, that too, without even conducting any enquiry as regards the petitioners' entitlement over the property, and in this regard, the learned counsel placed reliance on the decision rendered by the Hon'ble Supreme Court, in the case of **Sudha Ravi Kumar Vs. The Special Commissioner and Commissioner of H.R.& C.E. Dept.)** reported in **A.I.R. 2017 MAD 203..** Thus, the learned counsel prays for appropriate orders.



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4. The learned Special Government Pleader for the second and third respondent submitted that since the first respondent issued a communication letter instructing the third respondent not to register the sale deed in respect of the property that is covered in the sale deed presented by the petitioner pursuant to an Application filed a third party seeking for land reforms proceedings, third respondent refused not to register the sale deed and has issued the impugned refusal check slip, however, it is fairly submitted that since the third respondent has passed the impugned proceedings without conducting any enquiry, the same may be set aside and this Court may pass any order directing the third respondent to register the petitioner's document after conducting enquiry on such protest Application, and in the event of any direction is issued in that regard, the same would be complied with by the respondent-Registering Authority and would act accordingly in consonance with the law laid down by the Hon'ble Division Bench of this Court in the case of **Sudha Ravi Kumar Vs. The Special Commissioner and Commissioner of H.R.& C.E. Dept.)** reported in **A.I.R. 2017 MAD 203.**



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5. Heard Mr.R.Prabakar, learned counsel appearing for the petitioner, Mrs.S.Indhu Bala, learned Additional Government Pleader, who takes notice for the first respondent and Mr.U.Baranidharan, learned Special Government Pleader, who takes notice on behalf of the second and third respondent and perused the materials available on record.

6. In the present case, the petitioners/settlors have decided to settle all their properties in favour of the settlee, one V.Gunamani, and accordingly, executed a settlement deed dated 04.08.2025, but, when the said document was presented for registration, the third respondent refused to register the same citing the reason that the petitioners cannot settle the property, as, the first respondent has issued a communication letter instructing him not to register any document in respect of the subject properties, pursuant to an application filed by some other third party. However, considering the vital fact that that the petitioners are the absolute owners of the subject property having acquired the same vide registered sale deeds in their favour and also taking into consideration of the fair submission made by the learned Special Government Pleader for the



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respondents 2 and 3 that the impugned proceedings of refusal was made without even conducting with regard to the petitioners entitlement over the subject property and that the third respondent would conduct enquiry and proceed with the registration of the sale deed in consonance with the law laid down by the Hon'ble Division Bench of this Court in (**Sudha Ravi Kumar's case**) referred to supra, this Court is inclined to set aside the impugned order.

6.1 Accordingly, this Court pass the following order: _

i) The impugned refusal check slip issued by the third respondent dated 05.08.2025 is set aside. Consequently, the third respondent is directed to register the sale deed as and when the same is re-presented by the petitioners for registration without any further delay.

ii) In the event, if any protest petition is filed by some other third party, the respondent-Registering Authority shall conduct an enquiry into the same and after completion of such enquiry, finds such objection to be untenable, shall proceed to register the sale deed forthwith.



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7. In the result, the Writ Petition is allowed on the aforesaid terms.

No costs. Consequently, connected Miscellaneous Petition is ordered.

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sd

Index : yes/no

Neutral Citation : yes/no

To

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Krishnan Ramasamy,J.,

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