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W.P.No.35598 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.09.2025

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THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.35598 of 2025

Krishnamoorthy

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Petitioner

Vs.

1. The Inspector General of
Registration,
100, Santhome High Road,
Chennai-600 028.

2.The Sub Registrar,
Office Of Sub Registrar,
Tusi.

....

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorafied Mandamus to call for the records of the impugned refusal check slip issued by the 2nd Respondent vide RFL/Tusi/43/2025 dated 17.06.2025 and quash the same as arbitrary, illegal and non-est in law and consequently direct the 2nd Respondent to register the release deed dated 16.06.2025 presented by the petitioner and release the same to the petitioner within the time stipulated by this Court.



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For Petitioner : Mr.B.Vijay
For Respondents : Mr.Abishek Murthy
Government Advocate

ORDER

Mr.Abishek Murthy, learned Government Advocate takes notice on behalf of the respondents. With consent of both sides, the main Writ Petition is taken up for disposal at the stage of admission itself.

2. This Writ Petition has been filed challenging the refusal check slip issued by the 2nd Respondent vide RFL/Tusi/43/2025 dated 17.06.2025 and quash the same as arbitrary, illegal and non-est in law and consequently direct the 2nd Respondent to register the release deed dated 16.06.2025 presented by the petitioner and release the same to the petitioner within the time stipulated by this Court.



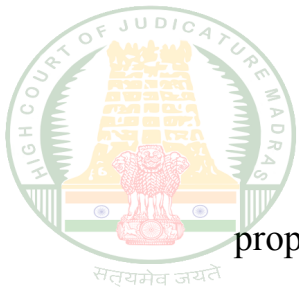
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3. The facts giving rise to the writ petition, in a nutshell are as

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(i) The land comprised in S.No.50/1 (Old S.No.50) measuring to an extent of 423.14 Sq.Ft. situated in Pillaiyar Kovil Street, Girijapuram Village, Vembakkam Taluk, Kancheepuram District was originally owned and possessed by the petitioner's father Mr.Kannappan by virtue of the partition deed dated 04.05.1974. The said Kannappan also died on 24.10.2008 leaving behind his wife Mrs.Thanthoniammal and 5 children viz., (i) Mangalagowri (2) Anbazhagi (3) Malarvizhi (4) Seenuvasan (5) Krishnamoorthy [the petitioner herein] as his legal heirs. The Petitioner's mother Mrs.Thanthoniammal also died on 17.09.2024 leaving behind her three children as her legal heirs. Whileso, Mrs.Mangalagowri, the sister of the petitioner also died on 28.12.2024 leaving behind her 2 children viz., Kandasamy and Jeyachitra as her legal heirs.

(ii) The legal heirs of the petitioner's father Kannappan and the petitioner's sister Mangalagowri have derived valid title to the subject



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property by way of intestate succession. The legal heirs of deceased Kannappan and others have jointly executed a release deed on 16.06.2025 in favour of the petitioner relinquishing their undivided share in the property. The 2nd respondent refused to register the release deed vide refusal slip dated 17.06.2025, on the ground that the name of the third party along with the petitioner's father is included in the patta issued by the Revenue Department. Challenging the said refusal slip, the present writ petition has been filed.

4. The learned counsel appearing for the petitioner would submit that the petitioner already submitted a representation to the Tahsildar on 13.08.2024 informing that the name of the 3rd party is wrongly included in the patta. On receipt of the said representation, the Tahsildar conducted due enquiry and passed an order stating that the subject property originally belonged to Mr.Kannappan by virtue of the partition deed dated 04.05.1974 and also stated that while updating the Natham (Village) Land Tax Assessment Patta, name of the third party i.e. Shanmugan S/o Tharuman has been added erroneously. Despite the said



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order, the 2nd respondent refused to register the released deed. He therefore prays to set aside the impugned refusal slip.

5. The learned Government Advocate appearing for the respondents would submit that apart from the petitioner's name, the name of the 3rd party was also included in the patta and therefore the 2nd respondent refused to register the release deed. However, he would fairly submit that they are not aware of the conduct of the enquiry proceedings and the order of the Tahsildar and stated that they have no objection to register the release deed, if the same is presented before the 2nd respondent. He therefore prayed for appropriate orders.

6. Heard both sides. Perused the records.

7. In the case on hand, the 2nd respondent refused to register the release deed vide refusal slip dated 17.06.2025, on the ground that the name of the third party along with the petitioner's father is included in the patta issued by the Revenue Department. A perusal of the undated order passed by the Tahsildhar would go to show that while updating the



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Natham (Village) Land Tax Assessment Patta, the name of the third party

i.e. Shanmugan S/o Tharuman has been added erroneously. It is now stated by the learned Government Advocate appearing for the respondents that they are not aware of the enquiry conducted by the petitioner and the respondents have no objection to register the release deed, if the same was presented before the 2nd respondent for registration.

8. In such view of the matter, this Court is inclined to set aside the refusal slip issued by the 2nd respondent dated 17.06.2025. The petitioner is directed to produce the release deed dated 16.06.2025 before the 2nd respondent within a period two weeks from the date of receipt of copy of this order and the 2nd respondent is directed to register the same as expeditiously as possible.

9. With the above directions, this writ petition is disposed of. No costs.

19.09.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

1. The Inspector General of
Registration,
100, Santhome High Road, Chennai-600 028.

2. The Sub Registrar,
Office Of Sub Registrar,
Tusi.

KRISHNAN RAMASAMY.J.,

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