



WEB COPY



W.P.No.38548 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.10.2025

CORAM
THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.38548 of 2025

1.K.Revathi

2.Sowmiya

... Petitioners

Vs.

The Sub-Registrar,
Rasipuram Town and Taluk,
Namakkal District.

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to register the Settlement Deeds executed by first petitioner's late father K.Kandasamy in favour of first petitioner and the second petitioner, bearing Receipt No.3921 of 2025 and 3922 of 2025, presented on 09.05.2025, without any further delay.

For Petitioners : Mr.J.P.Jaishanker

For Respondent : Mr.Abishek Murthy,
Government Advocate

ORDER



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The relief sought for in this writ petition is to consider the representation letter dated 01.06.2024 sent to the Third Respondent the Sub Register Office-SRO Ashok Nagar and the same letter sent to the Second and First respondent and this Hon'ble Court to order to the First Respondent to direct to the Third Respondent to release Registered Doc.No.57/2009 dated 27.07.2009 on the file of S.R.O.Ashok Nagar, Chennai.

2. Mr.Abisheik Murthy, learned Government Advocate takes notice on behalf of the respondent. By consent of both the parties, this writ petition has been taken up for final disposal at the stage of admission itself.

3. The case of the petitioners is that the first petitioner's late father has two sons and one daughter (the petitioner herein). In respect to certain ancestral properties, one of the brothers of the first petitioner viz., Manivel fraudulently executed a settlement deed on his favour vide Doc.No.5493/2018 dated 24.12.2018. Thereafter, the first petitioner filed a suit for partition with respect to the ancestral properties in



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O.S.No.44 of 2020, before the Principal District Court, Namakkal and the same was dismissed for default. Under this circumstances, the aforesaid Manivel along with his another brother viz., Palanisamy, executed an another settlement deed in favour of Palanisamy, vide Doc.No.4940/2022 dated 29.07.2022. Thereafter, the first petitioner's late father made a complaint before the Revenue Divisional Officer to cancel the settlement deeds executed in favour of his sons, since they have failed to take care of him. Accordingly, after enquiry and legal proceedings, the said settlement deeds were cancelled vide proceedings Pa.Mu.6291/2025/A1, dated 13.02.2025.

3.1. Challenging the aforesaid proceedings, the first petitioner's brother Mr.Manivel filed a writ petition in W.P.No.14027 of 2025, before this Court, which is pending. Under these circumstances, the first petitioner's father executed a settlement deed dated 08.05.2025 in favour of petitioners herein. When the said deed was presented for registration, the same was refused to be registered by the respondent herein. Hence, the petitioner has come forward with the present writ petition.



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4. Learned counsel for the petitioner would submit that subsequent to the presentation of settlement deed dated 08.05.2025, which was executed in favour of the petitioners, the first petitioner's father passed away on 26.06.2025 and till date, the respondent has not taken any steps to register the said deed and kept the same as pending. Hence, he prayed this Court that direction may be issued to the respondent to register the settlement deed dated 08.05.2025, which was presented on 09.05.2025 within a time frame that may be fixed by this Court.

5. Learned Government Advocate appearing for the respondent submitted that initially the settlement deeds were executed by the first petitioner's deceased father in favour his sons viz., Manivel and Palanisamy, however the same was cancelled by the RDO, upon the complaint made by the petitioner's deceased father under the Senior Citizens Act, which was also challenged by way of writ petition before this Court in W.P.No.14027 of 2025. However, the same was kept pending and no interim order was also passed. Under these circumstances, the respondent/authority is not in a position to register the settlement deed executed in favour of the petitioners.



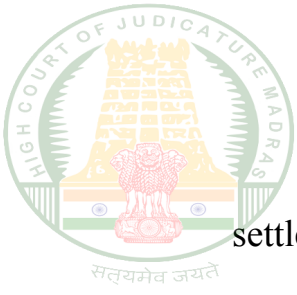
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6. Heard the learned counsel on either side and perused the materials available on record.

6. In the case on hand, the petitioners presented the settlement deed dated 08.05.2025 for registration before the respondent on 09.05.2025, however, till date the respondent has not taken any steps to register the same, due to the pendency of writ petition in W.P.No.14027 of 2025, which was filed against the cancellation of the settlement deeds executed in favour of first petitioner's brothers. Such being the case, the respondent is having difficulty in registering the same. However, they can take a decision either to register the settlement deed or not. But, in the present case, no such decision was taken so far.

7. In view of the above, this Court directs the respondent to conduct an enquiry by giving due notice and opportunity of personal hearing to the petitioners as well as rival claimants and aggrieved persons, if any and thereafter, take a decision whether to register the



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settlement deed presented on 09.05.2025 or not and the said exercise should be completed within a period of eight weeks from the date of receipt of a copy of this order.

With the aforesaid direction, this writ petition stands disposed of.

No costs.

10.10.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

The Sub-Registrar,
Rasipuram Town and Taluk,
Namakkal District.

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KRISHNAN RAMASAMY.J.,

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