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Writ Petition Nos.40053 of 2024 & 6510 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition Nos.40053 of 2024 & 6510 of 2025
and WMP Nos.7167 & 7168 of 2025

WP.No.40053 of 2024

C.Sankar

.... Petitioner

-Vs-

1.The Deputy Inspector General of Registration
Office of Deputy Inspector General of Registration
Combined Registration Office Complex
Veppamaratheru, Velapadi
Vellore.

2.The District Registrar (Administration)
Office of the District Registrar
Thirupathur.

3.The Joint II Sub Registrar
Office of the Sub-Registrar
Thirupathur
Taluk Office Campaus
1014, Government Gardens
Thirupathur-635 601.

4.R.Boopal

.. Respondents



Prayer in WP.No.40053 of 2024 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding vide Refusal Check Slip having reference No.RFL/2 dated 06.12.2024, on the file of the 3rd respondent, quash the same and consequently direct the 3rd respondent to register the settlement deed dated 06.12.2024 presented by the writ petitioner for registration and release the document to the writ petitioner within a time period to be stipulated by this Court.

WP.No.6510 of 2025

C.Sankar

.... Petitioner

-Vs-

1.The Deputy Inspector General of Registration
Office of Deputy Inspector General of Registration
Combined Registration Office Complex
Veppamaratheru, Velapadi
Vellore.

2.The District Registrar (Administration)
Office of the District Registrar
Thirupathur.

3.The Joint II Sub Registrar
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Taluk Office Campaus
1014, Government Gardens
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4.R.Boopal



Writ Petition Nos.40053 of 2024 & 6510 of 2025

.. Respondents

Prayer in WP.No.6510 of 2025 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned order of the 2nd respondent vide proceedings having reference No.132/A2/2022 dated 28.11.2022 and the impugned order of the 1st respondent vide proceedings having Ref.No.5778/A1/2022 dated 25.4.2023 and signed on 25.04.2023 confirming the order of the 2nd respondent, quash the same.

For Petitioner : Mr.R.Bharath Kumar
(both WPs)

For Respondents : Mr.U.Baranidharan
(both WPs) Special Government Pleader
for R1 to R3

COMMON ORDER

It is submitted by the learned counsel for the petitioner that, in the cause title in W.P.No.40053 of 2024, the 4th respondent name has been wrongly mentioned as 'R.Gopal' instead of 'R.Boopal'. It is further submitted that, in paragraph 9 of the order, in the 7th line, the date of the release deed has been wrongly mentioned as '23.11.2025' instead of '23.11.2015'. Further, in the same paragraph, in the 8th line, the extent of land has been wrongly mentioned as '1.75 acres' instead of '1.57 acres'.



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mp

2. Hence, the Registry is directed to carry out necessary corrections and issue corrected order copy to the parties.

18.02.2026

mp

To

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Vellore.

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DATED : 21.04.2025

CORAM :

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Writ Petition Nos.40053 of 2024 & 6510 of 2025
and WMP Nos.7167 & 7168 of 2025

WP.No.40053 of 2024

C.Sankar

.... Petitioner

-Vs-

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Office of Deputy Inspector General of Registration
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4.R.Gopal

.. Respondents



Writ Petition Nos.40053 of 2024 & 6510 of 2025

Prayer in WP.No.40053 of 2024 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceeding vide Refusal Check Slip having reference

No.RFL/2 dated 06.12.2024, on the file of the 3rd respondent, quash the same and consequently direct the 3rd respondent to register the settlement deed dated 06.12.2024 presented by the writ petitioner for registration and release the document to the writ petitioner within a time period to be stipulated by this Court.

WP.No.6510 of 2025

C.Sankar

.... Petitioner

-Vs-

1.The Deputy Inspector General of Registration
Office of Deputy Inspector General of Registration
Combined Registration Office Complex
Veppamaratheru, Velapadi
Vellore.

2.The District Registrar (Administration)
Office of the District Registrar
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Taluk Office Campaus
1014, Government Gardens
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4.R.Boopal

.. Respondents



Writ Petition Nos.40053 of 2024 & 6510 of 2025

Prayer in WP.No.6510 of 2025 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to

the impugned order of the 2nd respondent vide proceedings having reference

No.132/A2/2022 dated 28.11.2022 and the impugned order of the 1st respondent vide proceedings having Ref.No.5778/A1/2022 dated 25.4.2023 and signed on 25.04.2023

confirming the order of the 2nd respondent, quash the same.

For Petitioner : Mr.R.Bharath Kumar
(both WPs)

For Respondents : Mr.P.Harish
(both WPs) Government Advocate
for R1 to R3

COMMON ORDER

WP.No.6510 of 2025 has been filed challenging the proceedings of the 2nd respondent dated 28.11.2022 and the proceedings of the 1st respondent dated 25.04.2023, confirming the order passed by the 2nd respondent.

2.WP.No.40053 of 2024, has been filed challenging the refusal check slip issued by the 3rd respondent dated 06.12.2024 and for a consequential direction to the 3rd respondent to register the settlement deed executed by the petitioner in favour of his wife.



3. Heard Mr.R.Bharath Kumar, learned counsel for the petitioner and Mr.P.Harish, learned Government Advocate for R1 to R3.

4. The property measuring an extent of 19.36 acres originally belonged to the grandfather of the petitioner. He died intestate leaving behind his legal heirs. After the demise of the grandfather, the petitioner's father and the father of the 4th respondent partitioned the property through a partition deed dated 24.06.2005 registered as Document No.3512 of 2005. The petitioner's father was allotted 10.14 1/4 acres and the 4th respondent's father was allotted 9.21 1/2 acres.

5. The petitioner's father died on 01.10.2011 leaving behind the petitioner and his mother and also two sisters. The two sisters released their share in the property through a release deed dated 23.11.2015, which was registered as Document No.10454 of 2015. However, they had included an extent of 1.57 acres which belongs to the 4th respondent as one of the item in the release deed.

6. The release deed dated 23.11.2015 was put to challenge by the 4th respondent before the 2nd respondent. The 2nd respondent through proceedings dated



28.11.2022, cancelled the settlement deed in exercise of power under Section 77-A of the Registration Act. An appeal was filed before the 1st respondent and it was confirmed by an order dated 25.04.2023. Aggrieved by the same, the present writ petition in WP.No.6510 of 2025, has been filed before this Court.

7.The petitioner wanted to settle the property in favour of his wife and when the document was presented for registration, the 3rd respondent issued the refusal check slip on the ground that the earlier document has been cancelled by the District Registrar which was confirmed by the DIG of registration. Aggrieved by the same, the other writ petition has been filed in WP.No.40053 of 2024.

8.The petitioner has taken a very specific stand in the affidavit that 1.57 acres belonging to the 4th respondent was included as one of the item in the release deed that was executed on 23.11.2015 by oversight and that the petitioner is willing to rectify the said mistake.

9.The power of the District Registrar to cancel a registered document under Section 77-A of the Registration Act has been declared to be unconstitutional by the Division Bench of this Court in ***M. Kathirvel v. Inspector General of Registration Department and Others*** reported in ***2024 4 CTC 769***. Therefore, the order



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passed by the 2nd respondent and which was confirmed by the 1st respondent has to be held as non-est in the eye of law. However, considering the fact that the petitioner is willing for rectification of the mistake that had crept in while the release deed dated 23.11.2025, was executed by the sisters in favour of the petitioner by adding 1.75

acres of the land belonging to the 4th respondent, there shall be a direction to the petitioner to take necessary steps to rectify the said mistake by means of a rectification deed. If such rectification deed is presented for registration before the 3rd respondent, the same shall be entertained and registered, if it is otherwise in order.

After the rectification deed is executed and the property belonging to the 4th respondent is deleted from the schedule of property, it is left open to the petitioner to execute the settlement deed in favour of his wife. The same shall be entertained by the 3rd respondent and registered if it is otherwise in order.

10.Both the writ petitions are disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

21.04.2025

Index : Yes/No
NCS : Yes/No
KP



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