



W.P.No.39517 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.10.2025

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THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.39517 of 2025

Umapathi

... Petitioner

Vs.

1. The Assistant Inspector General
Of Registration,
Chennai Zone, Santhome High
Road, Chennai 600 028.

2.The District Registrar (Admin),
Office Of The District Registrar,
Chenglapattu Registration
Department, Chengalpattu District.

3.The Sub Registrar,
Thirukazhukundram,
Chengalpattu District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Refusal Check Slip issued by the 3rd Respondent,



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bearing Refusal No RFL / Thirukazukundram/23/ 2025 dated 09.10.2025, and quash the same as arbitrary, illegal, and without jurisdiction, consequently direct the 3rd respondent to register and release the Settlement Deed dated 08.10.2025 executed by the petitioner in favour of his wife, Mrs.Sasikala, in respect of the property comprised in Punja Suvey No.153/1, New Survey No. 153/1A2C - measuring an extent of 10 cents or 4367 Sq.ft. Of vacant land and 153/1A2-measuring an extent of 2011 sq.ft. totalling an extent of 6378 Sq.ft, as per Patta No.2641, situated at No.53, Mamallapuram Town, Old Ward No.13, New Ward No.14, P.W.D.Road, Mamallapuram Town, Thirukazhukundram Taluk, Chenglapattu District within a time frame as may be fixed by this Court.

For Petitioner : Mr.D.Murugan

For Respondents : Mr.U.Baranidharan
Special Government Pleader

ORDER

Mr.U.Baranidharan, learned Special Government Pleader takes notice on behalf of the Respondents. With consent of both sides, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed challenging the Refusal Check Slip dated 09.10.2025 issued by the 3rd respondent and to quash the same



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and consequently direct the 3rd respondent to register and release the Settlement Deed dated 08.10.2025 executed by the petitioner in favour of his wife, Mrs.Sasikala, in respect of the property comprised in Punja Suvey No.153/1, New Survey No. 153/1A2C - measuring an extent of 10 cents or 4367 Sq.ft. Of vacant land and 153/1A2-measuring an extent of 2011 sq.ft. totalling an extent of 6378 Sq.ft, as per Patta No.2641, situated at No.53, Mamallapuram Town, Old Ward No.13, New Ward No.14, P.W.D.Road, Mamallapuram Town, Thirukazhukundram Taluk, Chenglapattu District within a time frame as may be fixed by this Court.

3. The learned counsel appearing for the petitioner would submit that the petitioner is the absolute owner of the aforesaid properties and is in possession and enjoyment of the same. Initially the Sale Deeds with respect to the aforesaid properties was executed by the petitioner's vendor viz., Mr.U.Murugan in favour of the Petitioner 19.03.2014 and 28.05.2015 and the same were also registered vide Document Nos. 1581/2024 and 3270/2015. Subsequently, the said registration was challenged before the 1st respondent by a third party viz., Ravi and the



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said Authority, after hearing the parties concerned vide order dated 20.09.2021 cancelled the Sale Deed dated 19.03.2014. Challenging the said order, the Petitioner's vendor filed Writ Petition in W.P.No.37534 of 2024 and this Court vide order dated 18.12.2024 set aside the order passed by the 1st respondent. Thereafter, the petitioner intended to settle the aforesaid properties in favour of his wife and therefore she presented a Settlement Deed dated 08.10.2025 before the 3rd respondent. But the 3rd respondent refused to register the same vide the impugned Refusal Check Slip dated 09.10.2025 on the ground that the 1st respondent in its order dated 20.09.2021 had recorded the earlier documents and therefore the Settlement Deed can be registered only based on the direction issued by this Court with respect to the registration of the same.

3.1.Further, he would submit that since this Court vide order dated 18.12.2024 has already set aside the order of cancellation of the Sale Deeds dated 19.03.2014 and 28.05.2025 and the said order was not challenged till date, the ownership of the petitioner is restored and therefore he is entitled to settle the same in favour of his wife, but the 3rd



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respondent without application of mind has refused to register the same.

He therefore prays to set aside the impugned Refusal Check Slip.

4. The learned Special Government Pleader appearing for the Respondents fairly agreed to the said contention made by the learned counsel for the petitioner and prayed for appropriate orders.

5. A perusal of the impugned Refusal Check Slip clearly projects the non application of mind on the part of the 3rd respondent. When this Court has already set aside order of cancellation of Sale Deed by the 1st respondent, the ownership of the petitioner is restored and therefore he is the owner of the aforesaid property as on date. The petitioner can deal with the same in whatever manner he feels like. When it is an undisputed fact that the order passed by the 1st respondent, cancelling the Sale Deed executed in her favour was set aside by this Court in W.P.No.37534 of 2024 by order dated 18.12.2024, insistance by the 3rd respondent that there should be a specific direction by this Court to register the Settlement Deed cannot be countenanced for the reason that as already stated above,



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when this Court has already set aside the order passed by the 1st respondent dated 20.09.2021, as a natural corollary, it follows that the Authority concerned is supposed to register the Settlement Deed.

6. In such view of the matter, the impugned Refusal Check Slip dated 09.10.2025 issued by the 3rd respondent is liable to be set aside. Accordingly, the same is set aside. If the petitioner re-presents the Settlement Deed dated 08.10.2025 before the 3rd respondent, the said Authority is directed to register the same without any delay, if it is otherwise in order.

7. In the result, this Writ Petition is allowed. No costs.

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(3/3)



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To

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KRISHNAN RAMASAMY.J.,
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