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W.P.No.42181 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.11.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.42181 of 2025

Arumugam

... Petitioner

Vs.

- 1.The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High Road,
Raja Annamalai Puram,
Chennai – 600 028.
- 2.The Deputy Inspector General of Registration,
Cuddalore Zone,
Door No.50, Sankara Naidu Street,
Thiruppathiripuliyur,
Cuddalore – 607 002.
- 3.The District Registrar (Administration),
District Registrar Office,
No.57/4, Gopuram Complex,
Kachery Road, Shakthi Vinayagar Street,
Kallakurichi – 606 202.
- 4.The Sub-Registrar,
Office of the Sub-Registrar,
Elavanasur Kottai,
Ududurpet Taluk,
Kallakurichi District – 606 107.



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5.Kesava Padaiyatchi

... Respondents

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Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to Refusal Check Slip No.RFL/Elavanasur/137/2025, dated 17.10.2025, issued by the fourth respondent, the Sub-Registrar, Elavanasur Kottai and quash the same as arbitrary, illegal, and without jurisdiction and Consequently, direct the fourth respondent to register the Settlement deed presented by the petitioner, on 17.10.2025 (T.P.No.TP/236719038/20250, being my Gift (Settlement) Deed executed in favour of mr.Govindaraj, S/o Rathinavel, with respect to the property comprised in Survey Nos.598/2B and 598/2C, Pidagam Village, Kallakurichi District.

For Petitioner : Mr.M.Elumalai

For Respondents 1 to 4 : Mr.U.Baranidharan,
Special Government Pleader

ORDER

The relief sought in this writ petition is to call for the records pertaining to Refusal Check Slip No.RFL/Elavanasur/137/2025, dated 17.10.2025, issued by the fourth respondent, the Sub-Registrar,



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Elavanasur Kottai and quash the same as arbitrary, illegal, and without jurisdiction and Consequently, direct the fourth respondent to register the Settlement deed presented by the petitioner on 17.10.2025 (T.P.No.TP/236719038/20250, being his Gift (Settlement) Deed executed in favour of Mr.Govindaraj, S/o Rathinavel, with respect to the property comprised in Survey Nos.598/2B and 598/2C, Pidagam Village, Kallakurichi District.

2. Mr.U.Baranidharan, learned Special Government Pleader takes notice on behalf of the respondents 1 to 4. By consent of both the parties, this writ petition is taken up for disposal at the stage of admission itself.

3. Learned counsel for the petitioner would submit that the agricultural land measuring 1 Acre 90 cents in S.No.598/2 is an petitioner's ancestral property. Subsequently, the petitioner and his elder brother viz. Govindaraj acquired specific shares in the property. Under the Tamil Nadu Government's Unified Transfer of Registry (UTR)



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Scheme, the original survey number was subdivided into S.Nos.598/2A, 598/2B and 598/2C. While S.Nos.598/2A and 598/2B were correctly registered under petitioner's family name, S.No.598/2C was erroneously registered under Patta No.324 in the name of the fifth respondent. This being the case, the petitioner executed a settlement deed in favour of his elder brother in regard to properties covering S.Nos.598/2B and 598/2C and presented the same before the fourth respondent for registration. However, the fourth respondent refused to register the same and issued a refusal check slip dated 17.10.2025 citing the reason that S.No.598/2C stands in the name of the fifth respondent and they have also received an objection petition from one Mr.Vijay on 22.08.2025. Challenging the aforesaid refusal check slip, the petitioner has come forward with the present writ petition.

4. Learned Special Government Pleader appearing for the respondents 1 to 4 would submit that in the present case, one Mr.Vijay has raised an objection to register the settlement deed presented by the petitioner. Hence, the fourth respondent is not in a position to register



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the same. However, he would fairly submit that due notice will be issued to the petitioner as well as the fifth respondent and Mr.Vijay, who is the objector and thereafter, the matter will be decided.

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

6. Admittedly, the petitioner has presented the settlement deed for registration, however, the fourth respondent refused to register the same citing the reason that an objection was received from the third party viz., Mr.Vijay. Under these circumstances, the fourth respondent ought to have issued notice to the petitioner as well as the fifth respondent and the objector Mr.Vijay and decided the matter, whether to register the settlement deed or not. But, in the case on hand, the fourth respondent has not issued notice to both the parties and not conducted an enquiry.

7. In view of the above, this Court is inclined to set aside the impugned order dated 17.10.2025. Accordingly, the said order is set



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aside. Consequently, this Court directs the fourth respondent to take a decision in regard to the registration of settlement deed, after issuing due notice to the petitioner as well as the fifth respondent and Mr.Vijay, who raised objection to register the said deed.

Accordingly, this writ petition stands disposed of. No costs.

10.11.2025

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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No



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KRISHNAN RAMASAMY.J.,

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