



W.P.No.44413 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.44413 of 2025

B.Marystella

... Petitioner

Vs.

The Joint Sub Registrar-No.1,
Cuddalore Sub Registrar Office,
Cuddalore -607 002.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent relating to the Refusal slip dated 28.05.2025 vide RFL/1/ Joint Sub Registrar Cuddalore/4/2025 and quash the same as illegal and consequentially direct the respondent to register the release deed dated 28.03.2025 presented by the petitioner within a time frame fixed by this Honourable Court

For Petitioner : Ms.D.Rajkumari

For Respondent : Mr.U.Baranidharan, SGP



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ORDER

This writ petition has been filed challenging the refusal check slip dated 28.05.2025 issued by the respondent.

2. Mr.U.Baranidharan, learned Special Government Pleader, takes notice on behalf of the respondent.

3. By consent of the parties, the main writ petition is taken up for disposal in the admission stage itself.

4. The learned counsel for the petitioner would submit that in this case, initially, a partition suit was filed in OS.No.227 of 1975, wherein, it was decreed vide judgement and decree dated 18.02.1976 by holding that the petitioner's husband is entitled for half share in the suit properties. After the demise of her husband, the petitioner and her daughter became owners of the said half share of the property. Under these circumstances, the petitioner executed a release deed dated 28.03.2025, in respect of her share, i.e., 1/4th of the property, in favour of



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her daughter and presented the same before the respondent for the purpose of registration. However, the same was rejected by the respondent vide impugned refusal check slip dated 28.05.2025.

5. In reply, the learned Special Government Pleader appearing for the respondent had confirmed the submissions made by the petitioner and hence, he requests this Court to pass appropriate orders.

6. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent and also perused the entire materials available on record.

7. In the case on hand, initially, a partition suit was filed in OS.No.227 of 1975, wherein, it was decreed vide judgement and decree dated 18.02.1976 by holding that the petitioner's husband is entitled for half share in the suit properties. After the demise of her husband, the petitioner and her daughter became owners of the said half share of the property. Under these circumstances, the petitioner executed a release



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deed dated 28.03.2025, in respect of her share, i.e., 1/4th of the property, in favour of her daughter and presented the same before the respondent for the purpose of registration. However, the same was rejected by the respondent vide impugned refusal check slip dated 28.05.2025.

8. In view of the above, it is clear that the petitioner is entitled for 1/4th share of the property and now, she intends to execute a release deed in respect of the said portion. When such being the case, the respondent is supposed to have issued notice to the other interested parties and after conducting enquiry, a decision should have been taken with regard to the registration of petitioner's release deed. However, without doing so, the impugned refusal check slip came to be issued by the respondent, which is not proper.

9. Therefore, this Court is inclined to set aside the refusal check slip issued by the respondent. Accordingly, the impugned refusal check slip dated 28.05.2025 is hereby set aside. Upon representation of the release deed dated 28.03.2025, the respondent is directed to issue notice



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to the other interested parties and after conducting enquiry they shall decide with regard to the registration of petitioner's release deed.

10. With the above directions, this writ petition is disposed of. No cost.

19.11.2025

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
nsa

To

The Joint Sub Registrar-No.1,
Cuddalore Sub Registrar Office,
Cuddalore -607 002.



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KRISHNAN RAMASAMY.J.,

nsa

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