



W.P.No.45010 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2025

CORAM:
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

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Veerapathiran

... Petitioner

Vs.

1.The District Registrar,
District Register Office,
Thirupathur District.

2.The Joint Sub-Registrar No.2,
Joint Sub-Registrar Office,
Thirupathur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings dated 07.07.2025 made in Refusal Check Slip No.RFL/2 Joint Sub-Registrar No.2 Thirupathur/179/2025 issued on 07.07.2025 issued by the second respondent quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and thereby direct the second respondent to register the partition deed dated 04.07.2025 presented by the petitioner.

For Petitioner : Mr.B.Sundarapandiyan

For Respondents 1 & 2 : Mr.U.Baranidharan,
Special Government Pleader



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ORDER

This writ petition has been filed to call for the records relating to the impugned proceedings dated 07.07.2025 made in Refusal Check Slip No.RFL/2 Joint Sub-Registrar No.2 Thirupathur/179/2025 issued on 07.07.2025 issued by the second respondent quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and thereby direct the second respondent to register the partition deed dated 04.07.2025 presented by the petitioner.

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

3. Learned counsel for the petitioner submitted that the property comprised in S.No.195/1D to an extent of 1.28 hectare belongs to petitioner's father. After his demise, the petitioner along with his brothers and sisters took the possession of the said property. Thereafter, by way of oral partition, petitioner got his share of 1 Acre 2 cents of agricultural land along with 1/3rd well for common usage and 3.5 cents of house site



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property by way of separate patta. Under these circumstances, the petitioner decided to settle the property in S.No.195/1A to an extent of 1 acre 2 cents among his legal heirs by way of partition deed. Accordingly, he executed a partition deed dated 04.07.2025 and presented the same before the second respondent for registration. However, the second respondent refused to register the same by issuing a Refusal Check Slip dated 07.07.2025, citing the reason that the property stands in joint patta and directed the petitioner to produce a separate patta. Challenging the said refusal check slip, the petitioner has come forward with the present writ petition.

4. Learned Special Government Pleader appearing for the respondents would fairly submit that the matter will be decided, after issuing due notice to the parties concerned.

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

6. Admittedly, the petitioner has presented the partition deed for registration, however, the second respondent refused to register the same seeking separate patta. Under these circumstances, the second

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respondent ought to have issued notice to the parties concerned and decided the matter, whether to register the partition deed or not. But, in the case on hand, the second respondent has not issued notice and not conducted an enquiry.

7. In view of the above, this Court is inclined to set aside the impugned Refusal Check Slip dated 07.07.2025. Accordingly, the said order is set aside. Consequently, this Court directs the second respondent to take a decision in regard to the registration of partition deed, after issuing due notice to the parties concerned and thereafter, register the said deed in accordance with law.

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

20.11.2025

vm
Index: Yes/No
Internet: Yes/No
Speaking Order/Non-speaking order



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To

- 1.The District Registrar,
District Register Office,
Thirupathur District.
- 2.The Joint Sub-Registrar No.2,
Joint Sub-Registrar Office,
Thirupathur District.



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KRISHNAN RAMASAMY, J.

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