



WEB COPY

WP No. 47293 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 47293 of 2025

K.Muniyeswari, D/o. Kuppuswamy,
M.G.V. House, Teachers Colony, Indira Nagar,
Kallal Village, Karaikudi Taluk,
Siva Gangai District - 630 305.

..Petitioner

Vs

1.The Inspector General of Registration,
Santhome High Road, Chennai 600 004.

2.The District Registrar (Administration),
District Registrar Office, Chennai North, Chennai
104.

3.The Sub-Registrar, Sub Registration Office,
Thiruvetriyur, Chennai.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned order passed in Check Slip RFL / Thiruvottiyur / 54/



2025 dated 05.11.2025 on the file of the 3rd respondent and quash the same and subsequently direct the 3rd Respondent to register the settlement deed executed by the petitioner in favour of her daughter Mahalakshmi dated 05.11.2025.

For Petitioner: Ms.N.Mohanapriya for Mr.S.Elumalai

For Respondents: Mr.U.Baranidharan, SGP

ORDER

According to the petitioner, her father purchased a property under sale deed dated 14.07.2004 entirely out of his earnings and registered the same jointly in his name and his wife's name under document no.3915/2004. Thereafter, the petitioner's father settled the said property in the petitioner's name under document no.4181/2020. The petitioner executed a settlement deed dated 05.11.2025 settling the property in her daughter's name. When the said instrument was presented for registration, the impugned refusal check slip was issued.

2. Learned counsel for the petitioner submits that registration was refused on the ground that document no.3915/2004 stands in the names of the petitioner's father and mother. She submits that the registering authorities do not have any power to adjudicate questions of title.



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3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for all the respondents. He submits that the petitioner's brother had challenged settlement deed bearing document no.4181/2020 and the said registration was cancelled under Section 77A of the Registration Act, 1908. Although the cancellation order was set aside by this Court in W.P.No.25203 of 2024, learned counsel submits that it is necessary to verify whether the settlement deed was challenged in a civil suit and whether any orders were obtained in such proceedings.

4. In the impugned refusal check slip, the request for registration has been rejected by drawing reference to sale deed bearing document no.3915/2004, which stands in the names of both the petitioner's father and mother. In effect, it appears that the impugned refusal check slip has been issued by examining title. Therefore, the said order cannot be sustained and is hereby set aside. As contended by learned Special Government Pleader, it is, however, necessary to issue notice to the petitioner's brother for the limited purpose of ascertaining whether the settlement deed dated 02.09.2020 is the subject of challenge in any



proceedings before the civil Court and whether any orders restraining registration of subsequent conveyance in relation to the said property have been obtained. The Sub-Registrar, Thiruvottiur, Chennai, is directed to conduct an enquiry for the above mentioned limited purpose. After conducting such enquiry, a decision shall be taken with regard to the petitioner's request for registration within four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of on the above terms. There will be no order as to costs.

09-12-2025

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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SENTHILKUMAR RAMAMOORTHY, J.

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To

1. The Inspector General of Registration,
Santhome High Road, Chennai 600 004.
2. The District Registrar (Administration),
District Registrar Office, Chennai North, Chennai 104.
3. The Sub-Registrar, Sub Registration Office, Thiruvetriyur, Chennai.

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