



W.P.(MD)No.2414 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.2414 of 2025

S.Maheswari

... Petitioner

/Vs./

The Sub Registrar

Sub Registrar Office,

Vilangudi, Madurai.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned Refusal Check Slip in Refusal Number RFL/Vilangudi/19/2025 dated 22.01.2025 issued by the respondent and quash the same and consequently directing the respondent to register the Settlement dated 10.01.2025 in respect of the land to an extent of 49 cents 144 Sq.ft. in eastern middle side of Survey No.51/1 situated at Vilangudi 1 Bit Village, Madurai North Taluk, Madurai District.

For Petitioner : Mr.V.Chandrapandi

For Respondent : Mr.M.Sarangan

Additional Government Pleader



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ORDER

The Writ Petition has been filed challenging the refusal check slip issued by the respondent dated 22.01.2025, thereby refused to register the settlement deed executed by the petitioner in favour of her son, dated 10.01.2025 on the ground that the petitioner failed to produce the original parent document and as well as the petitioner's mother and father's name differ in the parent document as well as the death certificate. Further, there is a sale agreement in respect of the subject property and it is pending.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The property to an extent 49 cents 144 sq.ft comprised in S.No.51/1, situated at Vilangudi I Bit Village, Madurai North Taluk, Madurai, was purchased by the petitioner's mother, Meenachiammal @ Meena vide document No.791/1993 dated 28.03.1993. After her demise, the petitioner being the only son inherited the property, since his another



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brother is pre-deceased to his mother. Thereafter, the petitioner's mother died on 02.10.2023 and it was duly registered. However, the death certificate stands in the name of Meena. That apart, the petitioner's father name is mentioned as Meenachi Sundaram @ Gurusamy. In the sale deed, the petitioner's father name is mentioned as Meenachi Sundaram.

4. Admittedly, there is no rival claim in respect of the subject property and the petitioner is in possession and enjoyment of the property. The petitioner's mother name Meena @ Meenachiammal are one and the same and his father name Meenachi Sundaram @ Gurusamy are one and the same. Further, insofar as the agreement for sale is concerned, even the registered agreement for sale is pending in respect of property, it is not an impediment to register any deed of conveyance in respect of the very same property.

5. In view of the above, the petitioner is directed to file an affidavit to the effect that name of his mother Meena @ Meenachiammal are one and the same and also name of his father Meenachi Sundaram @ Gurusamy are one and the same.



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6. In view of the above, the impugned order passed by the respondent is not sustained and the same is liable to be quashed accordingly, quashed. The petitioner is directed to represent the settlement deed dated 10.01.2025 for registration along with undertaking affidavit and on receipt of the same, the respondent is directed to register and release the same forthwith, if it is otherwise in order.

7. With the above observation, this Writ Petition stands allowed.

No costs.

Index : Yes / No
NCC : Yes / No
LS

29.01.2025

TO:-

The Sub Registrar
Sub Registrar Office,
Vilangudi,
Madurai.



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G.K.ILANTHIRAIYAN, J.

LS

Order made in
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Dated:
29.01.2025