



W.P(MD)No.2301 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.2301 of 2024

1.Sarojini Martin
2.Kingston Sam Sundarraj
3.Wilson Maharaj
4.Christoper

...Petitioners

Vs.

The Sub-Registrar,
Pudukottai,
Thoothukudi District.

...Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned refusal check slip in RFL/Pudukottai/58/2023 dated 22.11.2023 and to quash the same and consequently, to direct the respondent to register the Settlement Deed dated 22.11.2023 executed by the 1st petitioner in favour of the petitioners 2 to 4 within the time fixed by this Court.

For Petitioners : Mr.K.K.Udayakumar

For Respondent : Mr.S.Saji Bino
Special Government Pleader



W.P(MD)No.2301 of 2024

ORDER

WEB COPY

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slip dated 22.11.2023 and consequently, to direct the respondent to register the settlement deed dated 22.11.2023 executed by the 1st petitioner in favour of the petitioners 2 to 4 within the time fixed by this Court.

2.The contention of the petitioners is that the petitioners' father's vendor had purchased the disputed land through auction sale. Thereafter, the petitioners' father had purchased the same through sale deed, dated 22/03/1952. Thereafter, the petitioners' family was in possession and enjoyment of the same. However, taking advantage of the UDR entry, some persons had made several transactions and the same has been entered in the register. Therefore, the respondent pointed out that several entries are made regarding the same property. If the present settlement deed is entered, then there will be multiple entries. Therefore, the present refusal check slip was issued.

3.The contention of the petitioners is that since they have purchased the land through the sale deed, the UDR entry cannot grant any right of ownership to the other persons. Therefore, their sale deed ought to be recognized. In fact, the petitioners have initiated proceedings before the DRO for cancelling the UDR



W.P(MD)No.2301 of 2024

patta issued to the other persons and the same was considered and favourable orders were passed in favour of the petitioners and the petitioners' name have been entered by deleting the patta issued to the other persons. Aggrieved over the same, the other persons filed a writ petition in W.P.(MD)No.5360 of 2020 and the same was dismissed for non prosecution, on 09.06.2023. As on date, the patta stands in the name of the petitioners.

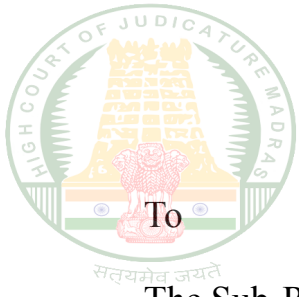
4. Therefore, this Court is of the considered opinion that even though it is double entry or multiple entries, the respondent cannot sit as a Civil Court and decide the title. Hence, the impugned order is quashed and the respondent is directed to register the settlement deed. However, it is made clear that the deletion of the entries cannot be ordered. The petitioner is at liberty to approach the Civil Code for deleting the entries by challenging the earlier transactions.

5. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

30.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

Tmg



W.P(MD)No.2301 of 2024

To

The Sub-Registrar,
Pudukottai,
Thoothukudi District.



WEB COPY



W.P(MD)No.2301 of 2024

S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.2301 of 2024**

DATED : 30.07.2025