



W.P.(MD)No.3096 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2025**

CORAM:

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

W.P.(MD)No.3096 of 2025
W.M.P.(MD)No.2160 of 2025

1.Rahmath Beevi
2.Asiya

... Petitioners

/Vs./

The Sub Registrar,
Kadyanallur,
Tenkasi

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the the impugned refusal check slip under Refusal No. RFL/ Kadayanallur/66/2024 passed by the respondent dated 15.11.2024 and to quash the same as illegal and further to direct the respondent to register the release deed dated 10.10.2024 executed by the petitioners relating to the properties under S.No. 1767/1 measuring an extent of 70 cents from the total extent of 02 Acre and 80 cents situating at Kadayanallur Village, Tenkasi District.

For Petitioners : Mr.R.Rajesh Kumar

For Respondent : Mr.D.Sadiq Raja,

Addl. Government Pleader



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ORDER

This writ petition has been filed challenging the refusal check slip issued by the respondent dated 15.11.2024 thereby refused to register the release deed executed by the petitioners in respect of the property comprised in S.No.1767/1, measuring to an extent of 70 cents out of 02 acres and 80 cents situated at Kadayanallur Village, Tenkasi District.

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

3. A perusal of the encumbrance certificate in respect of the subject property reveals that already two sale deeds were entered vide Document No.1250/2008 executed in favour of one Mumtaj Beevi in respect of the property comprised in S.No.1767/1 measuring to an extent of 69 cents and vide Document No.4908/10, executed in favour of Mohamed Kasim in respect of the property comprised in S.No.1767/1, measuring to an extent of 1 acre 90 cents. Therefore, 02 acre 59 cents were already executed vide two sale deeds, out of 02 acres 80 cents. Now, the petitioners had executed the release deed in respect of their



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shares admeasuring 70 cents. The total extent of the property is now more than 2 acres 80 cents.

4. The learned counsel appearing for the petitioners submitted that both the sale deeds are fraudulently executed and hence, those documents are not valid.

5. Unless and otherwise the petitioners approach the civil Court or before any other authority and get declaration that those sale deeds are fraudulent one, the petitioners cannot take a stand that both the documents are fraudulent one. Therefore, the respondent rightly refused to register the release deed executed by the petitioners. This Court finds no infirmity or illegality in the refusal check slip issued by the respondent. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

31.01.2025
(2/2)

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

Sm

TO:-

The Sub Registrar,
Kadyanallur,
Tenkasi

Order made in
W.P.(MD)No.3096 of 2025
(2/2)

Dated:
31.01.2025