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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.08.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No. 7422 of 2025

Sivanandi

... Petitioner

Vs.

1. The District Registrar (Administration),
O/o. District Registrar,
Madurai (South),
Madurai District.

2. The Sub Registrar,
O/o.Sub Registrar Office,
Nagamalai Pudukkottai,
Madurai District.

3. Kaluvaayi

4. Sivakumar

5. Sivabharathi

6. Radhakrishnan

7. Thangaraj

8. Saraswathi

9. Vimala

10. Lakshmi

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned refusal check slip issued by the 2nd respondent herein in his proceedings in Refusal Number RFL/Nagamalai Pudukottai/36/2024 dated 29.11.2024 and quash the same as illegal and consequently direct the 2nd respondent to register the settlement deed presented by the petitioner having No. TP/201150465/2024 dated 29.11.2024.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents : Mr.K.Kameshwaran,
Government Advocate, for R-1 & R-2

Mr.P.Chandrasekar. For R-1 to R-5

ORDER

This writ petition is filed for issuance of a ***Writ of Certiorarified Mandamus***, to quash the impugned refusal check slip issued by the 2nd respondent dated 29.11.2024 and consequently direct the 2nd respondent to register the settlement deed presented by the petitioner dated 29.11.2024.



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2. Through the impugned order, the 2nd respondent has stated that they have perused the Encumbrance Certificate and found several entries made in respect of the disputed property. Therefore, they have refused to register the document, stating that registration would amount to double or multiple entries. However, this Court has repeatedly held that double or multiple entries cannot be a ground to refuse registration. If the parties claim rights over the property, they ought to approach the appropriate civil court.

3. Accordingly, the impugned refusal check slip issued by the 2nd respondent dated 29.11.2024 is hereby quashed. The 2nd respondent is directed to register the settlement deed within a period of four weeks from the date of receipt of a copy of the order. However, it is made clear that the direction to register the document does not confer any right to claim possession. The parties shall establish their rights before the appropriate civil court and, thereafter, claim possession.



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4. With these observations and directions, this writ petition
is allowed. No Costs.

05.08.2025

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

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To

1. The District Registrar (Administration),
O/o. District Registrar,
Madurai (South),
Madurai District.

2. The Sub Registrar,
O/o.Sub Registrar Office,
Nagamalai Pudukkottai,
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S.SRIMATHY, J

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