



W.P(MD)No.7323 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7323 of 2024

and

W.M.P(MD)No.6741 of 2024

Jalaludeen

...Petitioner

Vs.

1.The Sub-Registrar,
Kadayam,
Tenkasi District.

2.Vishwa Sheik Uduman

...Respondents

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 order of the 1st respondent in Na.Ka.No.165/2023, dated 11.09.2023 and to quash the same and consequently, to direct the 1st respondent to register the settlement deed, dated 03.08.2023, executed by the petitioner in favour his brother in Doc.No.P57/2023, dated 03.08.2023, within the time fixed by this Court.

For Petitioner :Mr.K.Navaneetharaja

For R1 :Mr.D. Sasikumar
Additional Government Pleader

For R2 :Mr.H.Arumugam

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order of the 1st respondent in



W.P(MD)No.7323 of 2024

Na.Ka.No.165/2023, dated 11.09.2023 and consequently, to direct the 1st respondent to register the settlement deed, dated 03.08.2023, executed by the petitioner in favour his brother in Doc.No.P57/2023, dated 03.08.2023, within the time fixed by this Court.

2.Through the impugned order, the 1st respondent has refused to register stating that there is an objection from third party. The third party is arrayed as second respondent in the present writ petition. The claim of the second respondent is that he is having a share in the property for which he is relying on the joint patta.

3.According to the petitioner, even if it is a joint patta, the petitioner is also having right over the claim. Now, the present settlement deed is only for 3.85 cents. Therefore, the 1st respondent cannot refuse to register. Further, the petitioner is having title through the registered sale deed. Except for the patta, the second respondent has not submitted any other documents. Moreover, third-party objection cannot be entertained and the title dispute cannot be decided by the first respondent.

4.For all these reasons, the impugned order is quashed and the 1st respondent is directed to register the settlement deed within a period of four



W.P(MD)No.7323 of 2024

weeks from the date of receipt of the copy of this order.

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

10.07.2025

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

Tmg

To

The Sub-Registrar
Kadayam,
Tenkasi District.

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W.P(MD)No.7323 of 2024

S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.7323 of 2024**

DATED : 10.07.2025