



W.P(MD)No.8027 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.03.2025

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THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.8027 of 2025

Vanitha

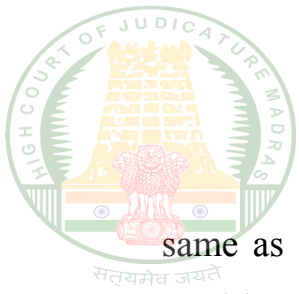
..Petitioner

Vs

- 1.The District Registrar,
District Registrar Office,
Tenkasi.
- 2.The Sub Registrar,
Kadayanallur,
Tenkasi District.
- 3.The Special District Revenue Office,
Competent Authority for Land Acquisition,
National Highways NH No.744,
Virudhunagar.
- 4.The Special Tahsildar (Land Acquisition),
National Highways NH No.744,
Unit- VII, Kadayanallur,
Tenkasi District.

..Respondents

Prayer: 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 record relating to the impugned refusal slip issued by the second respondent in Refusal Number. RFL/Kadayanallur/10/2025 dated 14.02.2023 and quash the



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same as illegal and consequently direct the second respondent to register the partition release deed executed by the petitioner in Temporary Document No. TP/210074902/2025 within a stipulated time that may be fixed by this court.

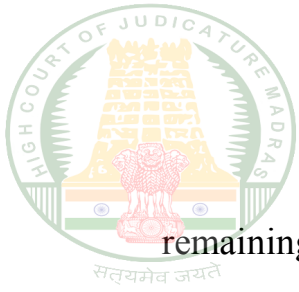
For Petitioner : Mr.J.Senthilkumaran

For Respondents : Mr.R.Senthilkumar
Addl. Govt. Pleader

ORDER

The petitioner seeks to quash the impugned refusal slip issued by the second respondent in Refusal Number. RFL/Kadayanallur/10/2025 dated 14.02.2023 and to direct the second respondent to register the partition release deed executed by the petitioner in Temporary Document No. TP/210074902/2025 within a stipulated time.

2. The petitioner states that her grandfather, one Pitchayappa Konar, was the owner of the property measuring an extent of 3 acres 62 cents comprised in S.No.414 situated at Krishnapuram Village, Kadayanallur Taluk, Tenkasi District. The said Pitchayappa Konar had two sons, namely, Sankaran (petitioner's father) and Velayutham. On 20.08.2001, Pitchayappa Konar settled the property to an extent of 2.58 ½ acres situated in S.No.414 out of a total extent of 3.62 acres, in favour of the petitioner's father, Sankaran. For the



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remaining extent, he executed a settlement deed in favour of his other son,

WEB COPY Velayutham.

3. The petitioner states that Sankaran executed a sale deed for the property to an extent of 24 cents in favour of his brother, Velayutham. Sankaran passed away on 27.06.2017, leaving behind, as legal heirs, his wife Kalyani, son Saravanan, daughter Ramalakshmi, and the writ petitioner Vanitha.

4. The children of Sankaran and Kalyani decided to settle their 1/3rd share each in S.No.414 in favour of their mother. They presented a document on 19.11.2022. The said document was rejected. Challenging it, they filed the writ petition in W.P.(MD)No.6095 of 2023, which was allowed, and the refusal check slip dated 19.11.2022 was set aside.

5. In the interregnum, the third respondent had acquired an extent of 1700 square meters for the formation of Rajapalayam – Senkottai National Highway. Therefore, the petitioner deleted that portion of the property and presented the release deed in favour of Kalyani all over again. Yet again, the second respondent has rejected the document under the impugned proceedings. Hence, the writ petition.



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WEB COPY 6. Heard Mr.J.Senthilkumaraiah for the petitioner and Mr.R.Sureshkumar, learned Additional Government Pleader for the respondents.

7. Mr.J.Senthilkumaraiah reiterated the contentions set forth in the affidavit.

8. Mr.R.Sureshkumar pleads that the Sub Registrar was constrained to reject the document since the portion of the land had been acquired by the fourth respondent/Tahsildar. He has also produced a written instruction from the fourth respondent pointing out that the acquisition of 1700 square meters is true and correct. He has also enclosed a plan drawn by the Special Tahsildar (Land Acquisition), Highways-Schemes, Kadayanallur, to substantiate the instruction given by the Tahsildar.

9. I have considered the submission of both sides.

10. Insofar as the right of the petitioner and her siblings to execute the gift deed in favour of their mother, Kalyani, is concerned, the same has been settled by this court in W.P.(MD)No.6095 of 2022, dated 11.04.2023.



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WEB COPY 11. The only issue now is whether the document, which is sought to be registered, covers the acquired area.

12. A perusal of the release deed shows the following:

“மேற்கில் : தேசிய நெடுஞ்சாலை விரிவாக்க திட்டத்திற்கு
கையகப்படுத்திய சென்ட் 42.01 நிலம்.”

13. The document executed by the petitioner and her siblings excludes the property, which had already been acquired by the fourth respondent. Therefore, there is no impediment for the Sub Registrar to register the said document. The plan drawn by the Special Tahsildar, has been handed over to the petitioner's counsel. He states that the said plan will be enclosed along with the release deed at the time of registration to clear any doubt in the mind of the second respondent/Sub Registrar.

14. The statement of the petitioner's counsel that the plan drawn by the Special Tahsildar will be enclosed along with the release deed, is recorded.

15. In the result, the impugned refusal slip issued by the second



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respondent in Refusal Number. RFL/Kadayanallur/10/2025 dated 14.02.2023

WEB COPY is quashed. The writ petition is allowed. There shall be a direction to the second respondent/Sub Registrar to register the release deed executed by the petitioner in favour of her mother and release the same. The said exercise shall be completed within a period of two weeks from the date of uploading of this order. No costs.

16. Call the matter after three weeks for reporting compliance.

24.03.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

skn

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
R.A.Puram,
Chennai – 600 028.

2. District Registrar (Admin),
District Registrar Office,
Tiruchirappalli District.

3. The Sub Registrar,
Mannachanallur Sub Registrar Office,
Mannachanallur,
Tiruchirappalli District.



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V.LAKSHMINARAYANAN, J.

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