



W.P.(MD) No.9085 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.9085 of 2025

Dr.P.Nagoorkani

...

Petitioner

Vs

The Sub Registrar,
Sub Registration Office,
Puliyangudi,
Tenkasi District.

...

Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorarified mandamus, to call for the records of the respondent pertaining to the impugned order made in Refusal Number.RFL/Puliyangudi/23/2025, dated 19.03.2025, on the file of the respondent, and quash the same as illegal and arbitrary and consequently direct the Respondent to register the petitioner's Amendment deed, dated 13.03.2025.



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For Petitioner : Mr.A.D.Ganesha Moorthi

For Respondent : Mr.R.Suresh Kumar,
Addl. Govt. Pleader.

ORDER

The petitioner seeks for the following relief :

"Writ of certiorarified mandamus, to call for the records of the respondent pertaining to the impugned order made in Refusal Number.RFL/Puliyangudi/23/2025, dated 19.03.2025, and quash the same as illegal and arbitrary and consequently direct the respondent to register the petitioner's Amendment deed, dated 13.03.2025.

2. The petitioner states that his father Pandaram passed away on 25.02.1995 and his mother Avudaiammal had pre-deceased his father. They left behind as their legal heirs, the following persons :

- (1) Nagoorkani – writ petitioner
- (2) Kuttyraj
- (3) Mammathu
- (4) Mary
- (5) Kalaivani

The aforesaid legal heirs decided to partition the property amongst themselves, and a document was registered on 27.11.2020 and a consequent partition



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deed was executed on 13.08.2021. The partition deed was registered as document No.2447 of 2021. While executing the partition deed, with respect to fifth item of the first schedule, an error had crept in with respect to the southern and northern sides. In order to rectify the situation, a rectification deed, styled "Amendment Deed", was presented on 13.03.2025. The said document was refused to be registered by the impugned order, stating as follows :

- (1) There is a complaint, which is pending from the District Crime Branch.
- (2) Sub-Division had not been carried out.
- (3) Details in A-Register were not tallied.
- (4) There was a dual document over the same.
- (5) The petitioner was not the legal heir of Chellayandar.

Challenging the same, the present Writ Petition.

3. I have heard Mr.A.D.Ganesha Moorthi, for the petitioner; and Mr.R.Suresh Kumar, for the respondent.

4. Respective counsels reiterated the contentions in the affidavit and the impugned order.

5. The facts stated above show that the partition deed had already been registered as Document No.2447/2021 on 13.08.2021. The petitioner is



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not attempting to bring forth a new document, but he is seeking to amend certain details in the document, as he feels an error has crept into the same. The reasons given in the document do not hold good. Even if a fresh document for partition had been presented for the purpose of rectification deed, the details sought for by the respondent are neither essential nor necessary. The effect of rectification deed is to correct typographical errors that have occurred in the document truthfully presented. When the respondent received the document presented by the petitioner without any demur, I am surprised with this objection, raised by way of impugned check slip.

6. In the light of the above discussion, the Writ Petition is allowed and the impugned order is quashed. There shall be a direction to the respondent to register the rectification deed presented by the petitioner within a period of two weeks from the date of uploading of the order on to the website of this Court. No costs. Consequently, the connected W.M.P.(MD) No.6776 of 2025 is closed.

03.04.2025

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

The Sub Registrar,
Sub Registration Office,
Puliyangudi,
Tenkasi District.



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V.LAKSHMINARAYANAN, J.

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