

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 24.10.2025**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.10495 of 2025 AND**
W.M.P.(MD)No.7842 of 2025

Jeyaprakash

... Petitioner

Vs.

1. The Sub Registrar,
O/o.the Sub Registrar,
Kanakiliyanallur,
Trichy District.

2. Mary (died)
3. Rayappan Ramesh
4. Simon Raj
5. Jhansi Rani

(R-3 to R-5 are impleaded vide order dated 30.07.2025
in W.M.P.(MD)No.16211 of 2025)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned refusal check slip issued by the first respondent in refusal No.RFL/Kanakiliyanallur/4/2025 dated 01.02.2025 and quash the same as illegal, consequently directing the first respondent to register the settlement deed dated 31.01.2025 presented by the petitioner for registration executed in favour of the petitioner's wife



in respect of the property measuring to an extent of 1 acre comprised in survey No.459 situated at Varaguppai Village, Lalgudi Taluk, Trichy District within a time frame.

For Petitioner : Mr.T.Leninkumar
For R-1 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.
For R-3 & R-5 : Mr.N.Sudhagar Nagaraj

* * *

ORDER

Heard both sides.

2. The writ petitioner executed settlement deed dated 31.01.2025 in favour of his wife settling the petition-mentioned property. It was presented for registration. The registering authority declined to register the document on the ground that the property in question had already been sold by the writ petitioner in the year 2005 itself.

3. Challenging the stand of the registering authority, this writ petition has been filed.



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4. It is admitted that the writ petitioner had executed sale deed dated 23.05.2005 in favour of one Mary, W/o.Selvaraj. The said sale deed pertains two items. As regards the first item, there is no dispute. The case of the writ petitioner is that the second item was fraudulently interpolated. The case of the legal heirs of the vendee(Mary) is that the property as the subject matter pursuant to settlement deed, was already conveyed in favour of Mary. The petitioner would state that even though survey number and the four boundary discrepancies are one and the same, the name of the village is different. It is true that the sale deed dated 23.05.2005 states that the second item also pertains to the village mentioned supra. The first item relates to Melarasoor Village. The contesting respondents would state that instead of mentioning it as Varaguppai Village, it was mentioned as Melarasoor.

5. These are factual aspects. Whether the said property was already conveyed or not, is a matter in dispute. Neither the registering authority nor the writ Court can decide the issue. The parties will have to resolve their dispute only before the



jurisdictional civil Court. I make it clear that I have not gone into the merits of the matter. Granting liberty to both parties to move the jurisdictional civil Court, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU

To:

The Sub Registrar,
O/o.the Sub Registrar,
Kanakiliyanallur,
Trichy District.



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W.P.(MD)NO.10495 OF 2025

G.R.SWAMINATHAN,J.

PMU

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