



W.P(MD)No.13833 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13833 of 2024

and

W.M.P(MD)Nos.12167 & 12242 of 2024

C.Raj Kumar

... Petitioner

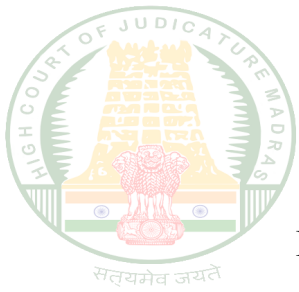
Vs

1. The District Registrar,
District Registrar Office,
4th Floor, C-Block,
Thiruppathur Taluk,
Sivagangai District.

2. The Sub Registrar,
Thiruppathur Taluk,
Sivagangai District.

... 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 passed by the second respondent vide proceedings Doc.No in P/Thirupathur-Karaikudi/58/2023 dated 19.12.2023 and quash the same as illegal and consequentially to direct the second respondent to register the gift settlement deed executed by the petitioner within a time stipulated by this Court.



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For Petitioner

: Mr.H.Mohammed Imran

For Respondents

: Mr.S.Saji Bino

Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned order, dated 19.12.2023 and consequentially to direct the second respondent to register the gift settlement deed executed by the petitioner.

2. Even though no proper reasons were stated in the impugned order, the learned Special Government Pleader appearing for the respondents submitted written instructions wherein it is stated that a third party has objected to register the document.

3. It is a settled proposition that the registering officer cannot refuse to register the document by citing a third party objection. If at all there is any rival claim, the parties should approach the appropriate Civil Court. The second respondent / Sub Registrar cannot sit as Civil Court and decide the title. Therefore, the reason stated by the respondents is erroneous and is total non application of mind. Hence, the impugned order is set aside. The respondents are



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directed to register the gift settlement deed within a period of four (4) weeks from the date of receipt of a copy of this order.

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

09.07.2025

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

jbr

To:

1. The District Registrar,
District Registrar Office,
4th Floor, C-Block,
Thiruppathur Taluk,
Sivagangai District.
2. The Sub Registrar,
Thiruppathur Taluk,
Sivagangai District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.13833 of 2024

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