



W.P(MD)No.14330 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29.08.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.14330 of 2024

Chinnadurai

... Petitioner

Vs

1. The Sub Registrar,
Sub Registrar Office,
Panagudi,
Tirunelveli District..

2. Selvan,

3. Anton Selvakumar,

... 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 records pertaining to the impugned refusal check slip in No. RFL/Panagudi/40/2024 on the file of the 1st respondent dated 10.06.2024 and to quash the same as illegal and consequently direct the 1st respondent to receive and register the Release Deed dated 07.06.2024 in respect of the properties of undivided 2/3 share of the executants comprised in Survey Nos. 1752/1A, 1752/1B and 1754/2C for total extend of 2 Acres 79 cents in Panagudi Part II



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Village, Radhapuram Taluk, Tirunelveli District.

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: Mr. N. Pragalathan

For Respondents

: Mr. S. Saji Bino (R1)
Special Government Pleader.

Mr. B. Micheal Sebastin (R2)

ORDER

The present Writ Petition has been filed to quash the impugned refusal check slip in No. RFL/Panagudi/40/2024 passed by the 1st respondent dated 10.06.2024 and consequently to direct the 1st respondent to receive and register the Release Deed dated 07.06.2024 in respect of the properties of undivided 2/3 share of the executants comprised in Survey Nos. 1752/1A, 1752/1B and 1754/2C for total extend of 2 Acres 79 cents in Panagudi Part II Village, Radhapuram Taluk, Tirunelveli District.

2.The second respondent is the petitioner's brother's son and the third respondent is the third party. The contention of the petitioner is that he has presented the release deed, which was executed by the petitioner's brother's sons. However, the same was refused to register by the first respondent citing that another release deed had already been executed by the same legal heirs in favour of one Shenbagamlingam Nadar, who is the father of the second respondent. Admittedly, a suit in O.S.No.83 of 2023 was filed before the learned Sub Court,



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Valliyoor, and the same is pending and the second appeal is pending before this Court in S.A.(MD).No.194 of 2015. The contention of the petitioner is that the first respondent cannot refuse registration by citing the pendency of the civil proceedings.

3.The learned counsel appearing for the second respondent submitted that one another release deed was executed by the 2nd respondent's father. Therefore, the second respondent has not executed another release deed. If it is registered, it will amount to double entry.

4.After considering the rival submissions made on either side, this Court is of the considered opinion that the respondent cannot refuse registration by citing the pendency of civil proceedings and double entry, which is a settled preposition of law. However, in order to avoid multiplicity of proceedings, this Court is of the considered opinion that Some conditions may be imposed. Therefore, this Court is inclined to pass the following order:

4.1.The impugned refusal check slip in No. RFL/Panagudi/40/2024 passed by the 1st respondent dated 10.06.2024, is hereby quashed.

4.2.The first respondent is directed to receive and register the Release Deed dated 07.06.2024, within a period of four weeks from the date of receipt of a copy of



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this order.

4.3.The parties shall contest the issues before the pending suit as well as the second Appeal.

4.4.All the issues and the contentions raised before this Court are left open.

4.5.Further, the parties, whoever are claiming rights over the property, are restrained from dealing with the property until the disposal of the suit and the second appeal.

5.With the above directions, this Writ Petition stands allowed. There shall be no order as to costs.

29.08.2025

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

vsg

To
The Sub Registrar,
Sub Registrar Office,
Panagudi,
Tirunelveli District..



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S.SRIMATHY, J.

vsg

**ORDER MADE IN
W.P(MD)No.14330 of 2024**

DATED :29.08.2025