



W.P(MD)No.17219 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17219 of 2024

and

W.M.P.(MD)No.14839 of 2024

Santhi

... Petitioner

Vs.

1.The District Registrar,
Ramanathapuram District,
Ramanathapuram.

2.The Sub Registrar,
Perunali Sub Registrar Office,
Perunali,
Ramanathapuram District.

3.Suba Gandhi

... 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 relating to the impugned Proceeding No.2936/Aa1/2024 dated 04.07.2024 of the 1st Respondent and quash the same as illegal and consequently direct the Respondents 1 and 2 to



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remove the entry in the Encumbrance Certificate issued based on the consequent Memo 1 of 2024 dated 09.07.2024 of the 1st Respondent with respect to the properties in S.Nos.41/2, 51, 38/1, 44 in Thimmanathapuram Village, Kamuthi Taluk, Ramanathapuram District and Punja lands in R.S.Nos.52/1, 60/8, 34 and Natham Lands in S.Nos.411/15, 408/3, 411/19 in P.Muthuramalingapuram Village, Kamuthi Taluk, Ramanathapuram District.

For Petitioner : Mr.Karthikeya Venkitachalapathy

For Respondents : Mr.M.Senthil Ayyanar,
Government Advocate for R1 & R2.
Mr.V.R.Shanmuganathan,
For Mr.S.Venkatesh for R3.

ORDER

Heard both sides.

2.The writ petitioner challenges the impugned proceeding dated 04.07.2024 passed by the first respondent determining the deficit stamp duty payable by the third respondent.



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3.The case of the third respondent is that the petition mentioned document was executed and registered at Sub Registrar, Parasala, Kerala State in the year 1994. The third respondent would claim that the writ petitioner herein was a party to the said document.

4.This assertion is strongly contested by the writ petitioner. According to the writ petitioner, the signature attributed to her in the petition mentioned document is a rank forgery.

5.It appears that the third respondent had already filed a civil suit in this regard. The issue as to whether the writ petitioner had executed Document No.12491/1994 or not is a matter that can be adjudicated by the jurisdictional Civil Court. Merely because the document had been adjudicated by the first respondent in the impugned proceeding, that will not by itself validate the document. The contentions of the writ petitioner are left open. The rights of the parties or even the alienees will be bound by the outcome of the civil suit.



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6. Granting such liberty, this writ petition is disposed of. No costs.

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Consequently, connected miscellaneous petition is closed.

22.10.2025

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

To:

1. The District Registrar,
Ramanathapuram District,
Ramanathapuram.
2. The Sub Registrar,
Perunali Sub Registrar Office,
Perunali,
Ramanathapuram District.



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G.R.SWAMINATHAN, J.

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