



W.P(MD)No.18163 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.18163 of 2025

A.Palanivelu

.. Petitioner

Vs.

The Sub-Registrar,
Registration Department,
Sub Registrar Office,
Thirumayam,
Pudukkottai District.

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned check slip in RFL/Thirumayam/47/2025, dated 26.05.2025, issued by the respondent and quash the same and consequently, direct the respondent to receive the settlement deed dated 30.04.2025 executed by the petitioner in favour of his wife Vijayalakshmi and register the same and release the document presented by the petitioner as per the Registration Act, 1908, within a time frame as fixed by this Court.

For Petitioner	: Mr.A.Arun Prasad
For Respondents	: Mr.D.Sasikumar
	Additional Government Pleader



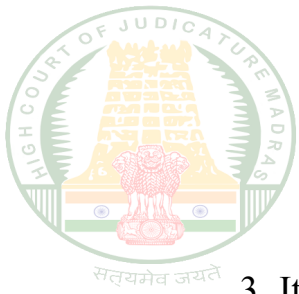
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ORDER

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This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned check slip in RFL/Thirumayam/47/2025, dated 26.05.2025, issued by the respondent and consequently, direct the respondent to receive the settlement deed dated 30.04.2025 executed by the petitioner in favour of his wife Vijayalakshmi and register the same and release the document presented by the petitioner as per the Registration Act, 1908.

2. The brief facts as stated in the affidavit are that the petitioner is the owner of the property situated in S.F.No.375/5 to an extent of 9 acres 22 cents in Thekkattur, Thirumayam Taluk, Pudukkottai. In the year 2008, the petitioner executed a sale deed in favour of his brother Mutharasan to an extent of 22 cents vide registered sale deed dated 02.05.2008 in Doc No.1080 of 2008. Thereafter, on 21.11.2011 the petitioner had cancelled the sale deed and again executed a sale deed in favour of the same brother Mutharasan 12 cents instead of 22 cents. Thereafter the petitioner being in old age had decided to executed settlement deed in favour of his wife Vijayalakshmi and the same was refused to be registered through the impugned order. In the meanwhile, the brother Mutharasan before cancelling the said sale deed for 22 cents had executed a settlement deed in favour of his son in Doc No.2241 / 2010 for the entire 22 cents. Hence through the impugned order the respondent had refused to register the settlement deed.



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3. It is seen that the cancellation of sale was effected by both the petitioner and his brother Mutharasan and it is not unilateral cancellation. Further based on the subsequent sale the brother Mutharasan is entitled to 12 cents and not 22 cents. The brother Mutharasan ought to cancel the settlement deed or rectify the settlement deed by mentioning the lesser extent in the settlement. As of now, no one has submitted any objection to the respondent. The respondent, after tracing the title through the encumbrance records, has stated the said objections.

4. The above narration of facts would indicate that the aggrieved person is the son of Mutharasan and he has not submitted any objection. Further it is only a dispute among the family members. Further it would come within the purview of title dispute. It is settled proposition that the respondent would be sitting as a civil court and determining the title of the parties, which is prohibited under law. Hence, the impugned order is liable to be quashed.

5. Accordingly, the impugned check slip in RFL/Thirumayam/47/2025, dated 26.05.2025, issued by the respondent is hereby quashed and respondent is hereby directed to register the settlement deed dated 30.04.2025 executed by the petitioner in favour of his wife Vijayalakshmi and release the document presented by the petitioner as per the Registration Act, 1908.



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6. With the above directions, this writ petition stands allowed. If any person is aggrieved, they are at liberty to approach the Civil Court. No costs.

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04.07.2025

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

To

The Sub-Registrar,
Registration Department,
Sub Registrar Office,
Thirumayam,
Pudukkottai District.



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S.SRIMATHY, J.

vsg

**ORDER MADE IN
W.P(MD)No.18163 of 2025**

DATED : 04.07.2025