



W.P(MD)No.19686 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19686 of 2025

Santhoshkumar

...Petitioner

Vs.

The Sub Registrar
Melur Sub Registrar Office,
Thoothukudi District

...Respondent

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 of the impugned refusal check slips issued by the respondent in RFL/Melur-Thoothukudi/Book 2/1 dated 17.04.2025 and RFL/Melur-Thoothukudi/32/2025 dated 24.04.2025 and consequently to direct the respondent herein to register the document submitted by the petitioner in respect of the property in Plot No. 81, Survey No.575/2G4A, Meelavittan Part I Village, Thoothukudi Taluk, Thoothukudi District, within a time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.S.Kameshwaran
Government Advocate



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the impugned refusal check slips issued by the respondent in RFL/Melur-Thoothukudi/Book 2/1 dated 17.04.2025 and RFL/Melur-Thoothukudi/32/2025 dated 24.04.2025 and consequently to direct the respondent herein to register the document submitted by the petitioner.

2.Through the impugned order, the respondent has stated that there is a third party objection for registering the petitioner's document. Thereafter, the respondent has conducted an enquiry after issuing notice to the petitioner and the objector. Through the impugned order, the respondent has determined the title of the petitioner as well as the 3rd party.

3.It is a settled proposition that the Registration Department cannot sit as a Civil Court and determine the dispute of the title. In the present case, an elaborate order has been passed by the respondent.

4.This Court is of the considered opinion that even though there are other entries, the petitioner has purchased only four cents of the land. The developer of the property ought to have filed a civil suit. Until now, there is no civil suit to settle the issue. But that will not preclude from registering the



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petitioner's document. The petitioner has every right to register the settlement deed as well as the rectification deed, since he has purchased through proper sale deed.

5. Therefore, the impugned order is quashed and the respondent is directed to register the documents within a period of four weeks from the date of receipt of a copy of this order. However, liberty is granted to the parties who are aggrieved to approach the Civil Court.

6. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

30.07.2025

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

Tmg

To

The Sub Registrar,
Melur Sub Registrar Office,
Thoothukudi District



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.19686 of 2025**

DATED : 30.07.2025