



W.P(MD)No.19765 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.19765 of 2025

and

W.M.P.(MD).No.15211 and 15212 of 2025

1.N.Mangai

2.G.Dhanasekaran

... Petitioners

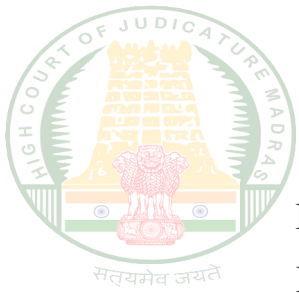
VS.

1. The Inspector General of Registration,
Door No. 100,
Santhome High Road,
Foreshore Estate,
Pattinapakkam,
Chennai 600 028

2. The Sub Registrar,
Velipattinam,
Ramanathapuram 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 pertaining to the impugned refusal check slip in RFL/Velipattinam/37/2024 dated 05.08.2024 passed by the 2nd respondent and quash the same and to direct, register the sale deed dated 05.08.2024 executed by the 1st petitioner in favour of the 2nd petitioner.



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For Petitioners : Mr.J.Bharathan

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 refusal check slip dated 05.08.2024 passed by the 2nd respondent and direct to register the sale deed dated 05.08.2024 executed by the 1st petitioner in favour of the 2nd petitioner.

2. Through the impugned order the respondent has stated that for the same property there is a registration in document No.2385/2006.

3. The learned counsel appearing for the petitioner submitted that he was shocked to receive such a communication. Thereafter, he enquired about and verified Document No. 2385/2006, which refers to a suit in O.S. No. 5 of 2006. The said suit was filed by one Kathoon Ammal for declaration and injunction against one Sikkandar. In the said suit, a decree was passed. However, there is absolutely no reference to any of the pleadings.

4. He further pointed out that Kathoon Ammal had declared herself to be the sole legal heir of Mohammad Maideen Maraikayar. Subsequently, after the



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said decree, a document was executed stating that the said Mohammad Maideen Maraikayar had six legal heirs. The same is extracted hereunder.

1. Kathoon Ammal
2. Mohammed Aafil
3. Alima Ammal
4. P.M.S.Mohameed Meerasha
5. Ameenah
6. Seyathammal

5. From this, it is evident that the said Kathoon Ammal had made an incorrect statement in the suit that she is sole legal heir. Therefore, according to the petitioner, the document in question is illegal and fraudulent.

6. Further, the learned counsel relied on Section 55 of the Registration Act, which states that the registering authority can only verify the identities of the parties executing the document. He cannot assume the role of a civil court or determine any title dispute. This Court has consistently held that such effort to determine the title by the registering authority is illegal, as he is not having any power to decide the title between parties.



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7. Therefore, the impugned check slip 05.08.2024 is hereby quashed.

Consequently the 2nd respondent is directed to register the document within a period of four weeks from the date of receipt of a copy of the order. However, the parties are at liberty to approach appropriate civil court to set aside the documents, if so advised. However, the entry shall be marked as a double entry.

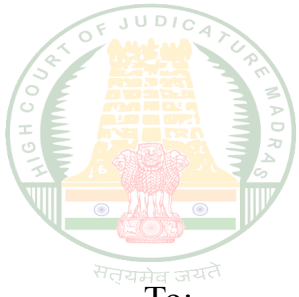
8. With the above observations, this Writ Petition is allowed.

Consequently, W.M.P.(MD).No.15211 of 2025 is allowed and W.M.P(MD) No.15212 of 2025 is closed. There shall be no order as to costs.

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

KSA

21.07.2025
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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.19765 of 2025
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DATED :21.07.2025