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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No.20443 of 2025

IN

WMP (MD) No.15839 of 2025

C.Palanivelu

... Petitioner

Vs

1.The District Registrar

Karaikudi, Pudukottai District.

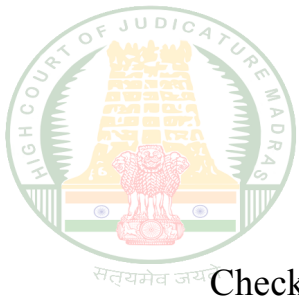
2.The Sub Registrar

Ponnamaravathi Sub Register Office,

Ponnamaravathi, Pudukottai District.

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records relating to the Impugned Refusal



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Check Slip Dated 07.07.2025 in No. in RFL/Ponnamaravathi/149/2025 of the 2nd Respondent and quash the same and direct the 2nd Respondent to register the Release Deed dated 07.07.2025 executed by this petitioner.

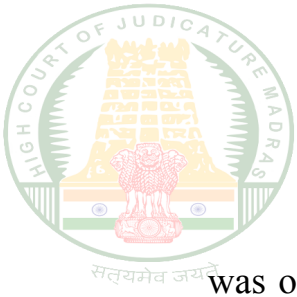
For Petitioner : Mr.B.Rajesh Saravanan,

For Respondents : Mr.S.Saji Bino,
Special Government Pleader.

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the Impugned Refusal Check Slip dated 07.07.2025 in RFL/Ponnamaravathi/149/2025 of the 2nd respondent and to direct the 2nd respondent to register the Release Deed dated 07.07.2025 executed by the petitioner.

2. It is the case of the petitioner that the property admeasuring 45 cents situated at UDR S.No.414/4 (Old Survey No.414/5B) and 30 cents at UDR S.No.414/9 (Old S.No.414/5B) totally 75 cents situated at Ponnamaravathi East Village, Ponnamaravathi Taluk, Pudukottai District,



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was originally belonged to one Anchappa Konar, who is the ancestor of the petitioner. The said Anchappa Konar died on 09.04.1977 and after his demise, one Nalliyappa Konar has inherited the above property and enjoyed the same. After the death of the said Nalliyappa Konar, one Chinnaiah, who is the legal heir of the said Nalliyappa Konar has inherited the above property and enjoyed the same. The said Chinnaiah also died on 15.07.2017 leaving the Palanivelu, the petitioner and Chellammal, Gunasekaran, Muruganantham, Ravichandran, Pothuraja and Krishnan as his legal heirs. After death of the said Chinnaiah, the petitioner and other legal heirs have inherited the property and enjoying the same jointly. Thereafter, on 07.07.2025, when the said Chellammal, Gunasekaran, Muruganantham, Ravichandran, Pothuraja and Krishnan, have executed release deed dated 07.07.2025 releasing their right in the above said properties and presented the same before the 2nd respondent for registration, who refused to register the same on the ground that there was a double entry in respect of the subject property.



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3. The issue of double entry was considered by another Learned Single Judge in the case of T.Sakthivel Vs. Sub Registrar in W.P. (MD)No.2214 dated 17.10.2024, wherein it is held that the Sub Registrar cannot refuse the registration of a document on the ground of double entry. Following the same, various judgments were passed by the Courts. However, in one of the judgment the private respondent has preferred writ appeal in W.A.(MD)No.2084 of 2025 and stay was granted by the Hon'ble Division Bench in C.M.P.(MD)No.11927 of 2025. However, it is seen that the respondents/department has not preferred any appeal. It is only the private individual has preferred the appeal and obtained the order of interim stay. The stay will be between the individuals that will not be binding the respondents/department and the present petitioner. Therefore, this Court is inclined to follow the earlier orders passed by this Court.

4. In the present case, merely because there is a double entry in respect of subject property, the registration cannot be refused. Hence, the impugned order passed by the second respondent in Refusal No.RFL/



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Ponnamaravathi/149/2025 dated 07.07.2025 is hereby quashed and the Writ Petition is **allowed**. The second respondent is directed to register the release deed dated 07.07.2025 within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected writ miscellaneous petition is closed.

28.07.2025

NCC : Yes/No

Index : Yes/No

Internet : Yes

vsg

To

- 1 The District Registrar
Karaikudi, Pudukottai District.
- 2 Sub Registrar
Ponnamaravathi Sub Register Office,
Ponnamaravathi, Pudukottai District.



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S.SRIMATHY, J

vsg

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