



W.P(MD)No.20569 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.20569 of 2025
and
W.M.P(MD)Nos.15941 of 2025

Palaniyappan

... Petitioner

Vs

The Sub Registrar,
Office of the Ponnamaravathi Sub-Registrar,
Ponnamaravathi,
Pudukkottai District.

... Respondent

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 Refusal Check Slip issued by the respondent vide RFL/Ponnamaravathi/Book 2/3 on 17-07-2025 and quash the same as illegal and consequently directing the respondent herein not to insist the Legal Heir Certificates and to register the release deed presented by the petitioner within the time stipulated by this Court.



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For Petitioner : Mr.V.Malaiyendran

For Respondent : Mr.G.Suriya Ananth
Additional 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 17-07-2025 and consequently direct the respondent herein not to insist the Legal Heir Certificates and to register the release deed presented by the petitioner.

2. Originally, the land belonged to one Periyannan, who had two sons, namely, Palaniyandi and Kaathan. The said Kaathan was unmarried and died without leaving any legal heirs. The Palaniyandi had two sons, namely, Adakkan and Periyannan. Now, the legal heirs of Adakkan and Periyannan, are intended to execute released deed in petitioner's favour. However, when the document was presented, the respondent refused to register the released deed stating that the Legal Heir Certificate of Palaniyandi was not produced.



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3. The learned Counsel appearing for the petitioner submitted that the Death Certificates of Adakkan and Periyannan have already been produced. Further, the revenue records have been mutated based on the possession of Palaniyandi, and there is no dispute among the parties. Therefore, the respondent cannot insist on the production of a Legal Heir Certificate.

4. After hearing the rival submissions, this Court is of the considered opinion that when the petitioner has produced the Death Certificates of Adakkan and Periyannans' Death Certificate, the same is sufficient for registration and there is no dispute that Kaathan died without marriage and without any issues. When the close legal heirs are not raising any dispute, the respondent cannot insist on the Death Certificates of Palaniyandi and Kaathan. Further, the very same issue has already been considered by another learned Single Judge of this Court in W.P.(MD)No.24657 of 2024 dated 19.10.2024, wherein it was held that when the revenue records are mutated based on the Legal Heir Certificate, it is not necessary for the registering authority to insist on the Legal Heir Certificate.

5. Therefore, this Court is of the considered opinion that when the revenue records are mutated, the respondent is not empowered to insist on the Legal Heir



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Certificates of Palaniyandi and Kaathan. Accordingly, the impugned refusal check

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slip is quashed. The respondent is directed to register the release deed within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above said directions, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

06.08.2025

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

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To:

The Sub Registrar,
Office of the Ponnamaravathi Sub-Registrar,
Ponnamaravathi,
Pudukkottai District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.20569 of 2025

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