



**W.P(MD)No.20930 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 31.07.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.20930 of 2025**

1.Aayishath

2.Jannatul Firthous

...Petitioners

Vs.

The Sub-Registrar,  
The Sub-Registrar Office,  
Melapalayam,  
Tirunelveli 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 issued by the respondent in impugned Refusal Check Slip in RFL/Melapalayam/47/2025 dated 16.07.2025 and to quash the same as illegal, further, to direct the respondent herein to register the subject mentioned settlement deed dated 16.07.2025 within a time stipulated by this Court.

For Petitioner : Mr.D.Nallathambi

For Respondent : Mr.G.Suriya Ananth  
Additional Government Pleader

**ORDER**

The present Writ Petition has been filed for the issuance of a Writ of



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Certiorarified Mandamus, to quash the impugned refusal check slip in RFL/Melapalayam/47/2025 dated 16.07.2025 and further, to direct the respondent herein to register the subject mentioned settlement deed dated 16.07.2025 within a time stipulated by this Court.

2. It is the case of the petitioners that originally, father-in-law Abdul Kadhar, sold through registered sale deed dated 03.02.1979 to one Abdul Hasan. After Hasan's demise, his legal heirs (except one son) executed a registered sale deed dated 17.05.2004 in favour of the 1st petitioner's husband, Late M.A. Abdul Majeeth. Following his death on 30.09.2024, the petitioners, as legal heirs, executed the present settlement deed. However, registration was refused on the basis of a double entry / counter entry dated 21.10.2002 found in the encumbrance certificate, which is a release deed allegedly executed by Abdul Kadhar's daughters.

3.The contention of the petitioners is that the above said double entry / counter entry document is void, since Abdul Kadhar had already divested title in 1979 and his legal heirs had no right subsequently to deal with the property. The petitioners executed a settlement deed dated 16.07.2025 in favour of the M.A.Noor Mohamed Razadu who is the son of the 1st petitioner and brother of 2nd petitioner herein. The respondent refused to register the above



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mentioned settlement deed by issuing a refusal check slip in RFL/Melapalayam/47/2025 dated 16.07.2025. As aggrieved over the same, the petitioners have preferred the present Writ Petition.

4.In the impugned order, the respondent has stated that if they registered the petitioners' document, it will amount to double entry.

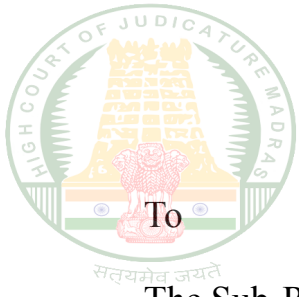
5.Merely because there is a double entry in respect of subject property, the registration cannot be refused. Hence, the impugned order passed by the respondent is quashed and the respondent is directed to register the petition mentioned document within a period of four weeks from the date of receipt of a copy of this order. It is for the concerned parties to establish their title before the competent Civil Court by adducing property document.

6.With the above observations, this Writ Petition is allowed. No costs.

**31.07.2025**  
(2/2)

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

Tmg



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To

The Sub-Registrar  
The Sub-Registrar Office,  
Melapalayam,  
Tirunelveli District.



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**S.SRIMATHY, J.**

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**ORDER MADE IN  
W.P(MD)No.20930 of 2025**

**DATED : 31.07.2025  
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