



W.P(MD)No.20965 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.20965 of 2025

and

W.M.P(MD)Nos.16233 to 16235 of 2025

Abdullah Sahib

... Petitioner

Vs

1. The Sub Registrar,
Keelakarai,
Ramanathapuram District.

2. Mohammed Muneera

3. Mohammed Mansoor

... 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 relating to the impugned Refusal Check Slip in Refusal No. RFL/Keelakarai/74/2025 dated 16.07.2025 issued by the first respondent and quash the same as illegal and consequently direct the first respondent to register petitioner's sale deed dated 14.07.2025 in respect of the properties in Old Survey No.440/2 (Survey No.440/1A1A1A1A), Old Patta No.464, New Survey No. 440/12A1A1A1A1, New Patta No.10487, to an extent of 0.12.94 Hec. (32 cent) and Old Survey No.442/1 (Survey No.442/19), Old Patta No.1287, New Survey



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No.442/19B, New Patta No.10453 to an extent of 0.23.57 Hec.(58 ¼ cents)
situated at Kanjirandi Village, Keelakarai Taluk, Ramanathapuram District.

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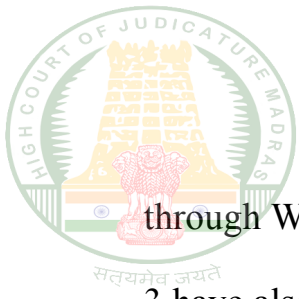
For Petitioner : Mr.T. Veerakumar
For R-1 : Mr.D.Sasikumar
Additional Government Pleader
For R-2 & R-3 : M/s.H.Jasima Yasmin

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 16.07.2025 and consequently direct the first respondent to register petitioner's sale deed dated 14.07.2025.

2. Through the impugned order, the first respondent refused to register the sale deed stating that the petitioner is tracing the title through will and the same is not registered. Further, the petitioner has not submitted the Death Certificate and that there is third party objection for registering the sale deed. Admittedly, the petitioner and the respondents 2 and 3 are siblings.

3. The contention of the petitioner is that he got the present property



through Will which is not registered. Further submitted that the respondents 2 and 3 have also received some properties through a Settlement Deed dated 01.11.2006 in which the private respondents were also granted a portion of the property in Survey No.442. The petitioner received 1 acre 98 cents in Survey No.442/1 and 1 acre 92 cents in Survey Nos.440 and 442. The second respondent was allotted 32 cents in Survey No.440/25 and 58 $\frac{1}{4}$ cents in Survey No.442. The third respondent was allotted 75 cents in S.No.440/26 and 30 cents in S.No.442/19A.

4. Therefore, the respondents 2 and 3 have received separately in the same survey number and there is no overlapping of any property. Hence, the objection raised by the third respondent is not correct. Further, it is submitted the private respondents apprehending an overlapping of property, had filed a suit in O.S.No.44 of 2023 on the file of Principal District Court, Ramanathapuram and the same was dismissed for default. In such circumstances, there cannot be any impediment in registering the petitioner's document. Accordingly, the impugned order is quashed. However, the petitioner is directed to present to the original Gift deed, the original Will along with the death certificate and legal heir certificate. On submission of such documents, the first respondent is directed to register the sale deed within a period of four (4) weeks from the date of receipt of a copy of this order.



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

01.08.2025

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

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To:

The Sub Registrar,
Keelakarai,
Ramanathapuram District.



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S.SRIMATHY, J.

jbr

ORDER MADE IN
W.P(MD)No.20965 of 2025

DATED : 01.08.2025