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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.21421 of 2025

N.Muthukumar .. Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Dindigul, Dindigul District.

2.The Sub Registrar,
Sanarpatti,
Sanarpatti Sub Registrar Office,
Dindigul District. .. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Ceritiorarified Mandamus, to call for records relating to the impugned refusal check slip No.RFL/Sanarpatti/66/2025 dated 29.07.2025 issued by the 2nd respondent and quash the same and consequently direct the 2nd respondent to register the petitioner's sale deed dated 29.07.2025.

For Petitioner : Mr.R.Jaswanthram
for M/s.C.Sundaravadivel

For Respondents : Mr.G.Suriya Ananth

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Additional Government Pleader

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the refusal check slip in No.RFL/Sanarpatti/66/2025 dated 29.07.2025 issued by the 2nd respondent and consequently direct the 2nd respondent to register the petitioner's sale deed dated 29.07.2025 within a time frame.

2. It is the case of the petitioner that the property bearing (i) Survey No.40/3B to the extent of 0.16.16 Hectors, (ii) Survey No.40/4 to the extent of 0.03.80 hectares, (iii)Survey No.40/3B to an extent of 0.16.22 hectares (iv) Survey No.40/3D to the extent of 0.18.55 hectares (v) Survey No.40/4 to the extent 0.03.80 hectares totally admeasuring an extent of 1 Acre 48.15 Cents at Kombaipatti Village, K.Ayyapatti, Sanarpatti Union, Dindigul District originally belongs to one Late. Muthusamy Konar and after the death of Muthsamy Konar on 24.07.1990, the entire extent of property in Patta No.413 and the Settlement Deed dated 14.10.1998 in Document No.831/1998 executed by Krishnammal was under enjoyment and joint possession by Thangavel and Kaliyammal. After the demise of Thangavel on 07.06.2012, the shares were orally partitioned among his legal heirs. In respect of the above said oral partition, on 02.01.2025 there was a

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partition between the legal heirs of Late. Muthusamy Konar namely, 1) M.Nandhagopal, 2) T. Nagalakshmi, 3) K.Kanagavalli, 4) T.Jeyamani, 5) Minor T.Jegadeesh, 6) Minor T.Suthan and 7) R.Saraswathi. The said partition has been registered by the Sub-Registrar Office, Sanarpatti in Document No.34/2025. In the above said partition deed, the shares of the properties to an extent of 1 Acre and 48.15 cents in Survey No.40/3B, 40/4, 40/38, 40/3D, 40/4 at Kombaipatti Village, K.Ayyapatti, Sanarpatti Taluk, Dindigul District, was allotted to 1) M.Nandhagopal, 2) T.Nagalakshmi, 3) T.Jeyamani for herself and for minors 4) T.Suthan and 5) T.Jegadeesh and the said properties were under the title and possession of the aforesaid legal heirs of Late. Muthusamy Konar. The Petitioner purchased the lands to an extent of 1 Acre and 48.15 cents in Survey No.40/3B, 40/4, 40/3B, 40/3D,40/4 at Kombaipatti Village, K.Ayyapatti, Sanarpatti Taluk, Dindigul District for a sale consideration of Rs.4,02,000/- from the said legal heirs of Late. Muthusamy Konar and a Sale Deed dated 29.07.2025 was executed by 1) M.Nandhagopal, 2) T.Nagalakshmi, 3) T.Jeyamani for minors 4) T.Jegadeesh and they presented the Sale Deed dated 29.07.2025 before the 2nd Respondent herein for registration on payment of sufficient duty. The 2nd Respondent herein refused to register the Sale Deed on the ground that the land was in "Double Entry" since one Subbaiah had already executed a Sale Deed as per the order passed by this Court in W.P.(MD) No.16455 of 2025 dated

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30.06.2025.The Petitioner purchased the property, since the title & possession and all revenue records are in favour of the Legal Heirs of Late. Muthusamy Konar. He further contended that the said Subbiah filed a writ petition in W.P.(MD) No. 16455 of 2025 by suppressing the actual facts and got direction from this Court to register the document which was refused by the 2nd Respondent herein. Hence, the Petitioner filed the present writ petition challenging the Impugned Refusal Check Slip dated 29.07.2025 passed by the 2nd Respondent herein.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. At the outset, the petitioner purchased the subject property from the original owner, after the partition deed. 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/Sanarpatti/66/2025 dated 29.07.2025 is hereby quashed and this Writ Petition is allowed. The second respondent is directed to register the petition mentioned document within a week 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. Hence, liberty is granted to the

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parties to file appropriate civil suit to determine their rights if so advised. No costs.

05.08.2025

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

To

1.The District Registrar,
District Registrar Office,
Dindigul, Dindigul District.

2.The Sub Registrar,
Sanarpatti,
Sanarpatti Sub Registrar Office,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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S.SRIMATHY, J.

PJL

ORDER MADE IN
W.P(MD)No.21421 of 2025

DATED : 05.08.2025

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