



W.P(MD)No.21633 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.21633 of 2025
and
W.M.P(MD)Nos.16729 of 2025

Sivakumar

... Petitioner

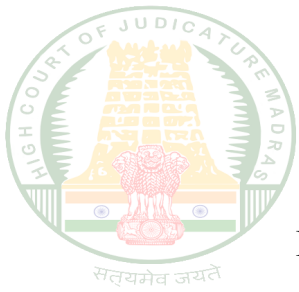
Vs

1. The Sub Registrar,
Pudukkottai,
Thoothukudi District.

2. Venus Developers Ltd.,
Thoothukudi District,
Authorized Signatory,
No.18B, Victoria Street,
Thoothukudi District.

... 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 order passed by the first respondent in refusal check slip dated 18.06.2025 and quash the same and consequently direct the first respondent to register the settlement deed presented by the petitioner within the time stipulated by this Court.



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For Petitioner

: Mr.C.Jeganathan

: Mr.D.Sasi Kumar

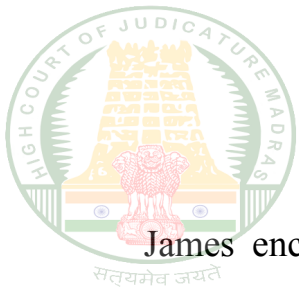
Additional Government Pleader

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 18.06.2025 and consequently direct the first respondent to register the settlement deed presented by the petitioner.

2. Through the impugned order, the first respondent has stated that there were several entries regarding the same survey number and therefore, if the present document is registered, the same would amount to double entry.

3. The learned Counsel appearing for the petitioner submitted that originally the land belonged to one Thambi Nadar. After the demise of Thambi Nadar, the legal heirs executed a power deed in favour of one Perumal. The said Perumal executed a sale agreement in favor of the petitioner. In the meantime, without executing a sale deed in favour of the petitioner, Perumal executed a sale deed in favour of one James. Aggrieved over the same, the petitioner filed a suit for specific performance, which was decreed in his favour. In the meantime,



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James encumbered the property by selling it to the second respondent, which resulted in the issue of double entries. The second respondent also filed a claim application in the Execution Court and the same was dismissed. Now, through the Civil Court proceedings, the petitioner has perfected title. Therefore, by relying on the earlier sale deeds, the first respondent cannot refuse to register the document.

4. After hearing the rival submissions, this Court is of the considered opinion that when the petitioner has perfected title through Civil Court proceedings, the respondent cannot raise a title dispute in the present registration. Accordingly, the impugned order is quashed. The first respondent is directed to register the settlement deed within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above said direction, 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
jbr



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S.SRIMATHY, J.

jbr

To:

The Sub Registrar,
Pudukkottai,
Thoothukudi District.

ORDER MADE IN
W.P(MD)No.21633 of 2025

DATED : 06.08.2025