



W.P(MD)No.24442 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24442 of 2025

and

W.M.P(MD)Nos.19185 & 19186 of 2025

M.Kamala

... Petitioner

Vs.

1.The State represented by
The District Registrar (Administration),
Virudhunagar District.

2.The Sub Registrar,
Keelarajakularaman Sub-Registrar Office,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned proceedings passed by the first respondent in Na.Ka.No.5503/Aa1/2024 dated 28.03.2025 and set aside the same and consequently directing the second respondent to release the original document in pending Doc.No.46 of 2024 dated 11.09.2024 within a time frame as fixed by this Court.



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For Petitioner : Mr.S.Balaji
For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

Heard both sides.

2.The petition mentioned property comprised in Survey No. 1975/2B, Keelarajakularaman Village and measures an extent of 0.71.5 HAC. It is covered under Patta No.10601. The property was purchased by one Muthuirulan vide sale deed dated 22.06.1992 (Document No. 114/1993) from one P.Ramasamy, S/o.Perumal Naickar. One of the items was sold on 24.09.2003 (Document No.1664/2003) executed by one Muthammal in favour of Ayyasamy.

3.Muthammal has passed away. Ayyasamy is also no more. The legal heirs of Ayyasamy have come to know that they have no right on the petition mentioned property and that it actually belongs to the legal heirs of Muthuirulan. Therefore, they executed a consent deed dated 18.06.2024 in favour of the writ petitioner and others and the same was



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presented for registration. The second respondent has kept it as a pending document (Document No.46 of 2024). The demand of the second respondent is that stamp duty should be paid on the market value. Challenging the stand of the second respondent, this writ petition has been filed.

4.I went through the contents of the document. According to the learned Special Government Pleader appearing for the respondents, the consent deed in question should be construed as a deed of relinquishment / release. I am unable to agree with this submission. The terms of the document should be understood as such. There is no transfer of any title or interest under the aforesaid consent deed. The executant of the consent deed merely acknowledged the rights of the legal heirs of Muthuirulan over the petition mentioned property. Only if the executant give up their right in the property, the document can be styled as relinquishment deed or release deed. Such is not the case here. Therefore, the impugned communication is quashed. The second respondent is directed to release the consent deed in question after duly registering the same.



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5.This Writ Petition is allowed accordingly. No costs.

Consequently, connected miscellaneous petitions are closed.

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

To

- 1.The District Registrar (Administration),
Virudhunagar District.
- 2.The Sub Registrar,
Keelarajakularaman Sub-Registrar Office,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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