



Rev Appln Writ(MD). No.161 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 10/09/2025

PRESENT

THE HONOURABLE MRS JUSTICE S.SRIMATHY

Review Application Writ (MD). No.161 of 2025

1. Mohammed Muneera

2. Moahmmed Mansoor

...Petitioners

Vs.

1. Abdullah Sahib

2. The Sub Registrar,
Keelakarai,
Ramanathapuram District

...Respondents

PRAYER : This application has been filed under Section Order 47 Rule 1 & 2 of CPC r/w Section 114 of CPC., to set aside the order dated 01.08.2025 in W.P(MD)No.20965 of 2025 on the file of this Court.

For Petitioners : M/s.H,Jasima Yasmin

For R1 : Mr.T.Veerakumar

For R2 : Mr. A.Oliraja
Government Advocate (Crl.Side)



Rev Appln Writ(MD). No.161 of 2025

ORDER

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This review application has been filed to set aside the order dated 01.08.2025 in W.P.(MD) No. 20965 of 2025 on the file of this Court.

2. The learned counsel for the Review petitioners submitted that this Court, vide order dated 01.08.2025 had observed that there is no overlapping of the property. But the fact remains that there is no land available on the ground. Hence the petitioner prays to review the order.

3. This Court had recorded that the petitioner and the private respondents are having some portion of land in the disputed survey numbers as per the settlement deed and the portion is extracted hereunder:

“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



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Rev Appln Writ(MD). No.161 of 2025

respondent was allotted 32 cents in Survey No.440/25 and 58 ¼ 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. In such circumstances, it cannot be stated that there is no land available. Even if the land is not available, then also the Sub Registrar cannot refuse registration. If the Sub Registrar is allowed to consider the issue whether the land is available or not, then the Sub Registrar would be sitting as Civil Court which is impermissible in law.

5. Infact as per the documents the review petitioners' property is on the northern side, and the writ petitioner's property is on the middle portion of the western side. Therefore, this Court is of the considered opinion that the plea of the review petitioner cannot be entertained.

6. Hence, this Court do not find any error apparent on the face of the record. If the review petitioner is aggrieved by the alleged registration, then the review petitioner is at liberty to approach the civil court.



Rev Appln Writ(MD). No.161 of 2025

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7. In the result, this Review Application is dismissed. No costs.

(S S Y J)
10.09.2025

msrm

To

The Sub Registrar,
Keelakarai,
Ramanathapuram District



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Rev Appln Writ(MD). No.161 of 2025

S.SRIMATHY, J.

msrm

**ORDER
IN
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**Date : 10.09.2025
(1/2)**