



W.P(MD)No.23896 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23896 of 2025

Ganesan

... Petitioner

Vs.

1.The Joint Sub Registrar No.4,
Madurai South, Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.

***(R.2 is suo motu impleaded vide
order of this Court dated 03.09.2025)***

... 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 records relating to the impugned order passed by the respondent vide his proceedings No. RFL/4 Joint Sub Registrar, Madurai South/Book 2/I dated 20.08.2025 and to quash the same as illegal and consequently direct the respondent to register the settlement deed dated 10.07.2025 vide Temporary No. TP/225787719/2025, Application No. S01LANDVV202507100787577 and ID No. REG 202507106018384.



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For Petitioner : Mr.D.Saravanan

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R.1

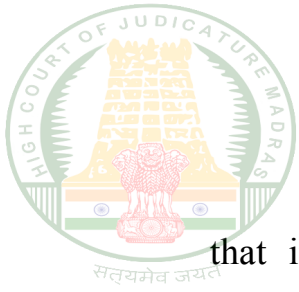
Mr.M.Lingadurai
Special Government Pleader
for R.2

ORDER

Heard both sides.

2.The writ petitioner executed a settlement deed dated 10.07.2025 in favour of his sister settling 6 cents. The document was presented for registration. The registering authority refused registration on the ground that the revenue record indicates the names of few other persons also. Challenging the refusal check slip, this writ petition came to be filed.

3.I *suo motu* impleaded the jurisdictional Tahsildar and called upon him to undertake a field visit and submit a report before this Court along with the relevant records. The jurisdictional Tahsildar points out



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that in the town survey register, the writ petitioner's name is also mentioned. Of course, it contains few other names such as Sonai, Gopal, Andi sons of one Arumugam. The writ petitioner's name is included as the fourth pattadhar. The field visit undertaken by the Tahsildar confirms that the writ petitioner is very much residing in the survey number in question. Whether he is entitled to the entire extent of 12 cents as claimed by him is a matter of doubt. The title of the petitioner over 6 cents of land can also be questioned by the other pattadhars mentioned in the revenue record. That can be dealt with independently. But on this score registration of the document need not be withheld. It has been consistently held by this Court as well as the Hon'ble Supreme Court that the registering authority is not required to concern himself with the title of the executant.

4.In this view of the matter, the order impugned in this writ petition is set aside. The petitioner is permitted to re-present the document. It shall be registered and released subject to the fulfilment of the other usual formalities.



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

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

To

1.The Joint Sub Registrar No.4,
Madurai South,
Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.



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G.R.SWAMINATHAN, J.

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