



W.P(MD)No.24235 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24235 of 2025

N.S.Paraman

... Petitioner

Vs.

1.The Sub Registrar,
Elumalai Sub Registrar Office,
Elumalai,
Madurai-625 535.

2.T.Sivaji

... 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 of the impugned refusal check slip of the 1st respondent in Refusal Number /RFL/Elumalai/69/2025 dated 28.08.2025 and quash the same as illegal and thereby, consequently direct the 1st respondent to register the settlement deed dated 25.08.2025 within a time frame that may be stipulated by this Court.

For Petitioner : Mr.A.Robinson

For Respondent : Mr.M.Senthil Ayyanar
Government Advocate for R1

:Mr.V.Jeya Chandran
for Mr.V.Malaiyendran
for R2



W.P.(MD)No.24235 of 2025

ORDER

Heard both sides.

2. The settlement deed dated 25.08.2025 was executed by the writ petitioner in favour of his son Sivanathan settling the petition mentioned property. The document was presented for registration. Registration was refused on the ground that it would be a case of double entry. Challenging the stand of the registering officer, this writ petition came to be filed. Notice was issued to the second respondent, in whose favour, the settlement deed was already registered on 29.12.2006.

3. The question that calls for consideration is whether on the ground of double entry, registration could have been refused.

4. This issue is no longer *res integra*. Atleast two Judges of this Court (**Hon'ble Mr.Justice N.SATHISH KUMAR** and **Hon'ble Mr.Justice V.LAKSHMINARAYANAN**) have settled the issue vide order dated 17.12.2024 in **W.P.(MD)No.22114 of 2024 (T.Senthilvel Vs. District Registration, Administration & Others)** & order dated 23.04.2025 in **W.P.(MD)No.11299 of 2025 (Amulraj Vs. The Sub Registrar, Office of Sub Registrar, Sanarpatti,**



W.P(MD)No.24235 of 2025

Dindigul District). The same approach has to be adopted in the case on hand also.

5. To satisfy my conscience, I briefly delved into the facts of the case. It is not in dispute that the property stood in the name of Pechiammal / mother of the writ petitioner and the grand mother of the second respondent. The settlement deed in favour of the second respondent was executed not by Pechiammal but by his father Thangamayan. Thangamayan is one of the brothers of the writ petitioner. I repeatedly queried the learned counsel for the second respondent as to how his father got the property from Pechiammal. Definite response is not forthcoming.

6. The learned counsel for the second respondent would make a serious allegation against the writ petitioner that he had committed an act of forgery and that is how, he got the patta revoked.

7. Pechiammal appears to have had an extent of 46 acres. She had seven children. Therefore, the share for each of the children would come to 6 ½ acres. The petitioner has not made any claim beyond 6 ½ acres. In any event, the respective title as well as the entitlement of the parties will have to be



W.P(MD)No.24235 of 2025

worked out only before the jurisdictional civil Court. I leave all these issues open. The only relief I grant is that just as Thangamayan could successfully settle the petition mentioned property in favour of the second respondent, I allow the petitioner to settle the very same property in favour of his son, Sivanathan. Who has a better title can very well be decided by the civil Court.

8. In this view of the matter, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document. It shall be registered and released subject to fulfilment of other usual formalities. The writ petition is allowed. No costs.

17.11.2025

Index : Yes / No
Internet : Yes/ No
rmi

To

The Sub Registrar,
Elumalai Sub Registrar Office,
Elumalai,
Madurai-625 535.



WEB COPY



W.P(MD)No.24235 of 2025

G.R.SWAMINATHAN, J.

rmi

W.P(MD)No.24235 of 2025

17.11.2025