



W.P(MD)No.24339 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24339 of 2025

Veeralakshmi

... Petitioner

Vs.

1.The District Registrar,
Virudhunagar District,
Virudhunagar.

2.The Sub Registrar,
Sub Registrar Office,
M.Rediyapatti,
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 records pertaining to the Refusal Check Slip by its Refusal No. RFL/M Rettiyapatti/13/2025 issued by the second respondent dated 21.08.2025 and quash the same as unlawful and unsustainable consequently directing the second respondent to register the Gift Settlement Deed dated 18.08.2025 as and when the same is presented by the petitioner.



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

ORDER

Heard both sides.

2.The writ petitioner's father purchased the petition mentioned property vide Document No.544/1992. Vide Document No.698/1997, the writ petitioner's father settled the property in favour the writ petitioner. Now the petitioner wants to settle the property in favour of her son. To this effect, document dated 18.08.2025 was executed and presented for registration. The registering authority pointed out that in respect of the very same property, sale deed bearing Document No. 618/1988 had been issued in favour of one Subburamu and therefore the petitioner's settlement deed cannot be accepted for registration. To this effect, the impugned refusal check slip was issued. The same has been put to challenge in this writ petition.



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3.The learned Special Government Pleader is right in his contention that one Subburamu is shown as title holder in terms of a prior transaction. In other words, this is the case of double entry.

4.The learned counsel for the petitioner draws my attention to the order dated 23.04.2025 made in ***W.P(MD)No.11299 of 2025 (Amulraj Vs The Sub Registrar, Office of Sub Registrar, Sanarpatt, Dindigul District)***. A learned Judge of this Court had quashed the refusal check slip in similar circumstances. The order dated 17.12.2024 rendered in ***W.P(MD)No.22114 of 2024 (T.Senthilvel Vs District Registration, Administration and two others)*** has been relied on for passing the said order. In the case on hand, the document in favour of the writ petitioner was already registered. The revenue record stands in the name of the writ petitioner. Patta stood originally in the name of Gurusamy Chettiyar and it was mutated in favour of the writ petitioner in the year 2016. Patta No. 510 has been enclosed in the typed set of papers. I am therefore inclined to follow the approach indicated in W.P(MD)No.11299 of 2025. Paragraphs 8, 11 and 12 of the said order read as follows:



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“8.Under Rule 55 of the Registration Rules, it is not the concern of the registering authority to go into the issue of title. There are regularly constituted civil Courts, which are empowered to deal with the said issue. The civil Courts neither require the assistance nor the status provided by the Sub Registrar in order to come to a conclusion.

...

11.With respect to the plea of double entry also, the issue has been settled by a judgment of this Court in T.Senthilvel vs District Registration, Administration and two others in W.P(MD)No.22114 of 2024, dated 17.12.2024.

12.In the light of the above discussion, the impugned order, dated 21.03.2025 passed by the respondent is quashed. There shall be direction to the respondent to register the settlement deed executed by the petitioner in favour of his daughter within a period of two weeks from the date of receipt of a copy of this order. The Writ Petition is allowed accordingly. No costs.”

5.In this view of the matter, the impugned refusal check slip is quashed. The petitioner is directed to re-present the document. It shall be registered and released subject to the fulfilment of the other usual formalities.



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6.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 District Registrar,
Virudhunagar District,
Virudhunagar.

2.The Sub Registrar,
Sub Registrar Office,
M.Rediyapatti,
Virudhunagar District.



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G.R.SWAMINATHAN, J.

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