



W.P(MD)No.27908 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.27908 of 2024

and

W.M.P(MD)Nos.23666, 23667 and 23668 of 2024

Sivakumar

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep. By, the Inspector General of Registration,
No.100, Santhome High Road,
Foreshore Estate, Pattinapakkam,
Chennai 600 028.

2.The Deputy Inspector General of Registration,
South Division at Madurai,
Rajakambeeram,
Othakadai Registration Office Building,
Madurai.

3.The District Registrar (Administration),
Dindigul District,
Dindigul.

4.The Sub Registrar,
Nilakottai SRO Office,
Dindigul District.

5.The Tahsildar,
Nilakottai Taluk,
Dindigul District.

6.M.Sivasamy

... Respondents



W.P(MD)No.27908 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned settlement Deed in Doc.No.4535/2024, dated 23.08.2024 (refer to pending Document No.P/Nilakottai/21/2024) and quash the same as illegal and consequently direct the fourth respondent forthwith to delete the entry of the impugned settlement deed in Document No.4535/2024, dated 23.08.2024 from the Encumbrance Certificate in respect of schedule of the properties in S.Nos.114/3A1, 116/5A1, 116/5A11, 116/4A, 124/3, 124/2A, 124/2B, 118/2, 118/5, 117/4, 124/4, 117/3A, 117/3B, 118/6, 117/2, 118/4A, 118/2C in M.Kombaipatti Village, Nilakottai Taluk, Dindigul District as well as S.Nos.5112/6B, 511/3, 511/5, 511/6, 512/1B4, 512/1B6 and 512/1B2, in Mallanapattai Village, Nilakottai Taluk, Dindigul District.

For Petitioner	: Mr.Silambanan Senior Counsel for M/S.P.M.Vishnuvarthanan
For Respondents	: Mr.S.Sajibino, (for R1 to R5) Special Government Pleader Mr.M.Saravanan (for R6)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned settlement Deed in Doc.No.4535/2024, dated 23.08.2024 (refer to pending Document No.P/Nilakottai/21/2024) and quash the same as illegal and



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consequently direct the fourth respondent forthwith to delete the entry of the impugned settlement deed in Document No.4535/2024, dated 23.08.2024 from the Encumbrance Certificate in respect of schedule of the properties in S.Nos. 114/3A1, 116/5A1, 116/5A11, 116/4A, 124/3, 124/2A, 124/2B, 118/2, 118/5, 117/4, 124/4, 117/3A, 117/3B, 118/6, 117/2, 118/4A, 118/2C in M.Kombaipatti Village, Nilakottai Taluk, Dindigul District as well as S.Nos.5112/6B, 511/3, 511/5, 511/6, 512/1B4, 512/1B6 and 512/1B2, in Mallanapattai Village, Nilakottai Taluk, Dindigul District.

2.Admittedly, the petitioner and the 6th respondent are siblings. The petitioner's father has executed a settlement deed in the name of the sixth respondent. However, the settlement deed was registered without giving regular number. In the mean while, the father died. Thereafter, there was some complications in granting permanent number. Hence, the petitioner filed W.P. (MD).No.31328 of 2023 and the same was allowed on 27.06.2024. Again, some issues were raised between the 6th respondent and the official respondents, which was finally ended in contempt petition, where the Court passed order in Cont.P. (MD).No.2968 of 2024, dated 29.04.2025, as under:

“The order of this Court has been complied with. The document originally executed by S.Mani has since been registered as Document No.2309 of 2025. Since during the interregnum period, the petitioner herein was constrained to execute the



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document and the same was registered as Document No.4535 of 2024 on the file of the Sub Registrar, Nilakottai, it stands annulled. Entry shall be made by the Sub Registrar, Nilakkottai in the encumbrance register that the said document No.4535 of 2024 shall not have any legal consequence. With the aforesaid direction to the first respondent, the contempt petition is disposed *of*.”

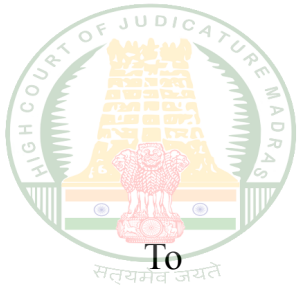
3.Since the prayer in the writ petition has already been granted in the contempt petition, the present writ petition is closed.

4.The petitioner is seeking direction to the trial Court to complete the suit for partition pending in O.S.N..251 of 2024 on the file of the Principal Sub Court, Dindigul. The trial Court is directed to complete the suit within a period of one year from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is closed. There shall be no order as to costs. Consequently, the connected writ miscellaneous petitions are closed.

30.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Vsg



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To

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S.SRIMATHY, J.

Vsg

**ORDER MADE IN
W.P(MD)No.27908 of 2024**

DATED : 30.06.2025