



W.P(MD)No.25925 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25925 of 2025

Sudarmuthu

... Petitioner

Vs.

1.The District Registrar,
Kanyakumari District,
Nagercoil,
Kanyakumari District.

2.The Sub registrar,
Kottaram Sub Registrar Office,
Kottaram,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned refusal check slip dated 03.09.2025 in Refusal No.RFL/Kottaram/84/2025, on the file of the 2nd respondent and quash the same as illegal and consequently directing the respondent to register the petitioner's settlement deed dated 03.09.2025 in accordance with law within the period that may be stipulated by this Court.



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For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.M.Senthil Ayyanar,
Government Advocate.

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ORDER

Heard both sides.

2.The petitioner executed settlement deed dated 03.09.2025 in favour of his wife and presented the same for registration. The registering authority declined to accept the document for registration on the ground that there is serious doubt regarding the exclusive entitlement of the writ petitioner over the property. Challenging the stand of the registering authority, this writ petition has been filed.

3.It is not in dispute that the property stood in the name of Ayyapalam, the father of the writ petitioner. He is no more. Ayyapalam has left behind not only the writ petitioner but also six other daughters as his legal heirs. It is true that patta stands in the name of the writ petitioner. But that may not be sufficient. The petitioner has to necessarily get no objection certificate from his sisters.

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4.In this view of the matter, without quashing the impugned refusal check slip, I permit the petitioner to re-present the document. Thereupon, notices will be issued to all the sisters of the writ petitioner. The writ petitioner also has to produce the legal heirs certificate of his father. Once the registering authority is satisfied that all the other legal heirs of Ayyapalam have no objection, the document in question can be registered and released, subject to fulfilment of other usual formalities.

5.With the aforesaid liberty to the writ petitioner and direction to the second respondent herein, this writ petition is disposed of. No costs.

22.09.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

- 1.The District Registrar,
Kanyakumari District,
Nagercoil,
Kanyakumari District.
- 2.The Sub registrar,
Kottaram Sub Registrar Office,
Kottaram,
Kanyakumari District.



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G.R.SWAMINATHAN, J.

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