



W.P(MD)No.30683 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30683 of 2025

Yasothai

... Petitioner

Vs.

1.The District Registrar,
Registrar Office,
Sivagangai District.

2.The Sub Registrar,
Karaikudi - Joint II,
Sub Registrar Office,
Karaikudi, Sivagangai.

3.M.Pathinettampadiyan

4.S.Shanmuganathan

5.L.Manimozhi

6.Ayyappan

... 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 of the impugned refusal check slip in RFL/Joint II Sub registrar Karaikudi/Book2/4 dated 18.09.2025 and the consequential proceedings in Na.Ka.No.353/2025 dated 07.10.2025 issued by the



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2nd respondent and quash the same as illegal and further directing the 2nd respondent to register and release the settlement deed dated 18.09.2025 presented by petitioner before the 2nd respondent within the time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1 & R2.
Mr.J.Anandkumar for R5
Mr.R.Kavinprsath for R3, R4 & R6.

ORDER

Heard both sides.

2.Settlement deed dated 18.09.2025 was executed by the writ petitioner in favour of her husband / Rajmohan. The document was presented for registration. The registering authority declined to register the document on the ground of double entry. Challenging the stand of the registering authority, this writ petition came to be filed.

3.According to the respondents, the petitioner had already executed a power of attorney on 27.05.2015 in favour of the third



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respondent. Based on the said power of attorney, the third respondent executed three sale deed in favour of the respondents 4 to 6. The settlement deed that is the subject matter of the present proceedings encompasses the properties that was the subject matter of the aforesaid three sale deeds executed by the third respondent in his capacity as power agent of the document.

4.The petitioner would claim that the third respondent had acted in excess of his authority. The stand of the third respondent is that he had not done so. This is a factual dispute which cannot be gone into in writ proceedings.

5.Rajmohan, the settlee through the learned counsel for the writ petitioner gives an undertaking that he will not encumber or alienate the petition mentioned property for a period of three years. The second respondent is also restrained from entertaining any document from Rajmohan for period of three years. This restraint will cease to operate on the expiry of the aforesaid three years period and it will be subject to any order or decree that may be passed by the Civil Court.



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6.A learned Judge of this Court vide order dated 17.12.2024 in W.P(MD)No.22114 of 2024 (T.Senthilvel Vs District Registration, Administration & Others) had held that on the ground of double entry registration cannot be refused. This was followed by another learned Single Judge dated 23.04.2025 in W.P(MD)No.11299 of 2025 (Amulraj Vs The Sub Registrar, Office of Sub Registrar, Sanarpatti, Dindigul District). The same approach can be adopted in this case also. In any event, patta stands in the name of the petitioner's family.

7.In this view of the matter, the refusal check slip is quashed. The petitioner is permitted to re-present the settlement deed. The second respondent will receive the same and register it subject to fulfilment of other usual formalities. This writ petition is allowed. No costs.

17.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

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- 2.The Sub Registrar,
Karaikudi - Joint II,
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G.R.SWAMINATHAN, J.

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