



W.P.(MD) No.29555 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2025

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.29555 of 2025

and

W.M.P.[Md]No.22865 of 2025

Balaji

... Petitioner

Vs.

1.The Inspector General of Registration,
Chennai.

2.The District Registrar,
Sivagangai District,
Madurai.

3.The Sub-Registrar,
O/o. the Sub Registrar,
Thiruppuvanam,
Sivagangai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the record pertaining to the impugned refusal check slip issued by the third respondent in Refusal No.RFL/தருப்புவனம்/45/2025 on



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22.08.2025 and quash the same as illegal and consequently direct the third respondent to register the settlement deed dated 21.08.2025 executed by the petitioner in respect of the land with an extent of 7.5 cents in Survey No.35/2 at Nelmudikarai Village, Thiruppuvanam Taluk, Sivagangai District.

For Petitioner : Mr.V.Karuna
For Respondents 1 & 2 : Mr.K.Balasubramani
Special Government Pleader
For Respondent No.3 : Mr.A.Albert James
Government Advocate [Crl. Side]

ORDER

A challenge has been made in this Writ Petition to the impugned order passed by the third respondent in Refusal No.RFL/தருப்புவனம்/45/2025 on 22.08.2025 and for a consequential direction to the third respondent to register the settlement deed dated 21.08.2025 executed by the petitioner in respect of the land with an extent of 7.5 cents in Survey No.35/2 at Nelmudikarai Village, Thiruppuvanam Taluk, Sivagangai District.

2. Learned Counsel for the petitioner would submit that the land in question belonged to the petitioner's father and they have



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been enjoying for more than 50 years. Under these circumstances, the sons of Sethurambabu, have filed a suit for declaration and recovery of possession against the petitioner's father, Duraipandi in O.S.No.2 of 2004 before the Principal District Munsif Court, Manamadurai and the same came to be dismissed on 24.11.2005 and thereafter, the appeal preferred by them in A.S.No.21 of 2006 also came to be dismissed on 15.02.2010. Therefore, title in the suit has attained finality as the petitioner's father was the owner of the property. The petitioner's father passed away on 03.08.2006. Now, the petitioner who is the legal heir of Duraipandi intended to sell the property to one Suganthi and when the same was presented before the third respondent, the same came to be refused citing the reason that patta stands in the name of Sethurambabu.

3. Learned Counsel for the petitioner would further submit that in spite of the decree passed by the Court of law, the revenue officials refused to issue fresh patta in the name of the petitioner. Under these circumstances, the petitioner who is the legal heir of Duraipandi presented the sale deed for registration. However, the same came to be rejected. Hence, the present Writ Petition.



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4. Learned Additional Government Pleader appearing for the respondents would submit that since the patta stands in the name of Sethurambabu, the sale deed came to be refused.

5. Heard the learned Counsel on either side and perused the materials available on record.

6. Upon hearing the learned Counsels and perusal of the documents, it is clear that the refusal is only for the reason that the patta stands in the name of the Sethurambabu. For the purpose of registration of a document patta is not a mandatory requirement. Title cannot be decided based on patta, which is a settled proposition of law. However, in the present case it appears that the patta was issued in the name of Sethurambabu and sons of Sethurambabu filed a suit in O.S.No.2 of 2004 before the Principal District Munsif Court, Manamadurai and the same came to be dismissed on 24.11.2005 and thereafter, the appeal preferred by them in A.S.No.21 of 2006 also came to be dismissed on 15.02.2010. Therefore, in the present case, as far as title is concerned, it was decided that the petitioner being the legal heirs after the death of his father Duraipandi, is certainly entitled to. The



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petitioner is also entitled to transfer the property to any third party.

Such being the legal position, there is no impediment for the Sub-Registrar to register the sale deed presented by the petitioner.

7.Accordingly, the impugned order passed by the third respondent in Refusal No.RFL/தருப்புளம்/45/2025 on 22.08.2025 is hereby set aside and the third respondent is directed to register the sale deed forthwith without any further delay.

8.Accordingly, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

04.12.2025

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

MR



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To

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KRISHNAN RAMASAMY, J.

MR

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