



W.P(MD)No.32110 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.32110 of 2025

R.Mariappan

... Petitioner

Vs.

1.The District Collector,
Office of the District Collectorate,
Tenkasi.

2.The District Registrar,
District Registrar Office,
Tenkasi.

3.The Sub Registrar,
Idaikkal Sub Registrar Office,
Idaikkal,
Tenkasi District.

4.The Tahsildar,
Taluk Office,
Kadayanallur,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the third



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respondent to accept and register the draft Deed of Receipt and Sale Deed present by the petitioner pertains to House site Plot No.114 and 115 in Natham S.No.335/6 situated at Ayikudi Village, Kadayanallur Taluk, Tenkasi District and land in S.No.335/6 by considering petitioner's representation dated 11.09.2025 and release the same within stipulated time that may be fixed by this Court.

For Petitioner : Mr.J.Senthil Kumaraiah
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard both sides.

2.The petition mentioned assigned plots were allotted in favour of one Mukkandi and Thirumalaiappan in the year 1998. On 23.09.2013, Mukkandi sold his house plot in favour of the petitioner. Subsequently, Thirumalaiappan sold his house plot in favour of Muthaiah on 26.09.2012 and the said Muthaiah sold the land in favour of the petitioner on 22.10.2013. Both the plots are contiguous. The petitioner constructed a house and is residing therein. On 24.03.2021, he mortgaged the property in favour of M/s.RBL Bank Limited and obtained

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loan to the tune of Rs.16,45,000/- (Rupees Sixteen Lakhs Forty Five Thousand only). The memorandum of deposit on title deeds was registered vide Document No.1195 of 2021. Subsequently, the mortgage loan was also cleared. On 15.05.2025, the mortgagee issued “No Due Certificate” to the petitioner. The petitioner wants to register the “No Due Certificate”. The petitioner is unable to do so because the land in question has been valued at Zero. Unless the land valuation is indicated, the document will not be accepted by the online registration system. When the petitioner purchased the property and mortgaged the same, the online registration system was not in vogue. Vide G.O(Ms)No.131 Commercial Tax and Registration Department dated 12.09.2022, online registration has been made mandatory. All the fields will have to be filled up before submitting the document for registration. Since the field regarding valuation cannot be filled up by the petitioner, the discharge certificate could not be registered. That is why the present writ petition has been filed, seeking a direction to the third respondent to carry out manual registration.



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3.The learned Additional Government Pleader on instruction states that manual registration is no longer possible.

4.The learned counsel for the writ petitioner draws my attention to the order dated 29.11.2024 made in W.P(MD)No.28615 of 2024 (S.Bagavathi Vs The District Registrar, District Registration Office, Tenkasi & Another) in support of his prayer and called upon this Court to adopt the very same approach in this case also. Paragraph 4 of the said order reads as follows:

“4. ...

“5. *In a case of similar nature, this Court passed an order in W.P.No.14682 of 2016 dated 21.04.2016. The relevant portion in the order is extracted hereunder:*

“(2.1) *The case of the petitioner is that he is the absolute owner of the properties mentioned above and they are the Gramanatham house sites.*

(2.2) According to him, the gramanatham property is not a property of the Government and it cannot be classified as Government property. A poor villager, who is residing in Gramanatham sites for quite a long time, acquires right, title and interest over the same. The question of grant of patta in Gramanatham property does



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not arise at all,as the Government has no control or jurisdiction over the said property.

(2.3) The petitioner has been in possession and enjoyment of the property in question for more than six decades in Gramanatham house sites. The petitioner has also paid the property tax.

(2.4) The petitioner executed a Settlement Deed on 15.4.2016,settling the property in favour of his wife and two sons. When the petitioner has approached the respondent for registration of the same, it was returned by the respondent for extraneous consideration. According to him, such documents are being registered continuously by the registration department and the petitioner alone is singled out and discriminated.

(2.5) In similar circumstances in respect of a Gramanatham property, this Court in Writ Petition No. 16521 of 2015 vide order dated 1.9.2015 directed the concerned Sub Registrar to receive and register the settlement deed executed by the petitioner therein.

(2.6) Even after production of the said order, the respondent has not registered his document, but directed him to produce a similar order from this Court. Hence, having no other option, the petitioner has come up with this writ petition.



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3. Heard the learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, appearing on behalf of the respondent.

4. A perusal of the affidavit filed in support of the writ petition indicates that the petitioner executed a Settlement Deed dated 15.4.2016 in favour of his wife and two sons, but the said document was not registered. The respondent refused to receive and register the document.

5. When the matter was taken up for consideration, it is brought to my knowledge that in similar circumstances, this Court passed an order in W.P.No. 16521 of 2014 dated 1.9.2015 on the following lines:

“2. The law is quite settled that the gramanatham is not a Government poromboke land. The certificate issued by the V.A.O. shows that house has been constructed over the said land. what the petitioner has conveyed is a settlement by him to his son. The respondent cannot delve much into the title as a mere registration will not give such status.

3. In view of the same, this writ petition is allowed and the respondent is directed to receive and register the document to be produced by the petitioner subject to the payment of requisite stamp duty. No costs. “



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6. Therefore, in my considered opinion, if the properties mentioned in the schedule of the Settlement Deed dated 15.4.2016 executed by the petitioner are found to be Gramanatham properties, the respondent is duty bound to receive and register the same. Hence, the respondent is directed to receive the document, viz., settlement deed dated 15.04.2016 presented by him in respect of the properties in Natham S No.1351/ 1B ~ out of 2.05.0 hectare 304 sq.mts (2,276 Sq.ft), Door No.2/74, Uthukattamman Koil Street, Chinnama Nagar, Thaiyur B Village, Tiruporur Taluk , Kanchipuram District and register the same, if the same are found to be Gramanatham properties, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.”

6. The above order will also squarely apply to the facts of the present case.

7. In view of the above, this Court has no hesitation to interfere with the refusal slip and accordingly the same is quashed. The respondent is directed to receive the settlement deed from the petitioner and register the same, if it is otherwise in order and thereafter, release the document to the petitioner. It goes without saying that the petitioner shall pay the necessary stamp duty and registration charges.



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The above order will squarely apply to the present facts of the case. Hence, there shall be a direction to the respondent to register the settlement deed dated 30.09.2020, if it is otherwise in order and subject to the petitioner paying the necessary stamp duty and registration fee, if any. The document shall be immediately released to the petitioner after it is registered.””

5.The petitioner is permitted to submit a request to the fourth respondent in writing calling upon him to value the property and upload the details in the website. The fourth respondent will conduct spot inspection, peruse the relevant records and submit a proposal to the jurisdictional Revenue Divisional Officer. The jurisdictional Revenue Divisional Officer in turn shall go into the issue and dispose of the petitioner's request by passing a speaking order within a period of eight weeks from the date of proposal from the Tahsildar. If the petitioner's request for valuation is accepted by the jurisdictional Revenue Divisional Officer, the petitioner can very well submit the discharge certificate and the same shall be registered in the meanwhile. I make it clear that I am not issuing any positive direction in this regard. The matter is left to the discretion of the jurisdictional Revenue Divisional Officer.



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6.This Writ Petition is disposed of accordingly. No costs.

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

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- 3.The Sub Registrar,
Idaikkal Sub Registrar Office,
Idaikkal,
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- 4.The Tahsildar,
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Kadayanallur,
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Copy to

The Revenue Divisional Officer,
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G.R.SWAMINATHAN, J.

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