



W.A.(MD)No.3156 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.11.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND

THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.A.(MD)No.3156 of 2025

and

C.M.P(MD)No.19132 of 2025

Santhi

...Appellant/Petitioner

/Vs./

1.The District Registrar,
Ramanathapuram District,
Ramanathapuram.

2.The Sub Registrar,
Perunali Sub Registrar Office,
Perunali,
Ramanathapuram District.

3.Suba Gandhi

... Respondents/Respondents

PRAYER:- Writ Appeal - filed under Clause 15 of Letters Patent, to set aside the order dated 22.10.2025 passed in W.P(MD)No.17219 of 2024 on the file of this Court.



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For Appellant : Mr.S.Madhavan

For R1 & R2 : Mr.M.Senthil Ayyanar
Government Advocate

JUDGMENT

(Judgment of the Court was made by **C.KUMARAPPAN, J.**)

The present Writ appeal has been filed against the order of the learned single Judge in W.P(MD)No..17219 of 2024, in and by which, the prayer of the writ petitioner to quash the proceedings dated 04.07.2024 in determining the deficit stamp duty payable by the third respondent.

2.Heard Mr.S.Madhavan, learned counsel appearing for the appellant and Mr.M.Senthil Ayyanar, learned Government Advocate appearing for the respondents.

3.The learned counsel would vehemently submit that the property situated in S.Nos.41/2, 51, 38/1, 44 in Thimmanathapuram Village, Kamuthi Taluk and the other lands belong to the petitioner's husband late



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Prasath by ancestrally. After the demise of the petitioner's husband, the property was devolved upon his legal heirs. While so, the petitioner got remarried with one Ramasamy and have been in continuous possession and enjoyment of the properties. While so, taking advantage of the petitioner's age, some of the land mafia has created forged documents and even the Registrar without verifying the original documents registered those documents during 1994 before the Sub Registrar, Parasala in the State of Kerala. Hence, it is the submission of the petitioner that under Section 36(3) of the Indian Stamp Act and by virtue of Section 28 of the Tamil Nadu Registration Act, the alleged sale deed executed by the strangers on 12.12.1994 is to be set aside. The learned single Judge, after having gone through the various aspects, has ultimately found that the disputed fact of execution of document could only be adjudicated before the jurisdictional civil Court.

4.We fully concur with the findings rendered by the learned single Judge.

5.At this juncture, the learned counsel for the petitioner would

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submit that there is a civil suit pending in O.S.No.144 of 2024 before the Additional District Judge, Paramakudi. Therefore, we do not find any grounds to entertain this appeal. Therefore, reiterating the liberty given by the learned single Judge, the Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[A.S.M.J.] & [C.K.J.]
28.11.2025

NCC :Yes/No

Index :Yes/No

Internet :Yes

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To

1.The District Registrar,
Ramanathapuram District,
Ramanathapuram.

2.The Sub Registrar,
Perunali Sub Registrar Office,
Perunali,
Ramanathapuram District.

DR.ANITA SUMANTH, J.
AND



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C.KUMARAPPAN, J.

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Order made in
W.A.(MD)No.3156 of 2025
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