



W.P.(MD)No.36251 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2025

CORAM

THE HONOURABLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.36251 of 2025

1.P.Subbulakshmi

2.P.Lakshmi Narayanan

...Petitioners

vs.

The Sub Registrar,
Sathur,
Sathur Sub Registrar Office,
Virudhunagar District.

...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of refusal check slip passed by the respondent in his proceedings RFL/Sathur/42/2025, dated 28.10.2025 and quash the same as illegal and consequently direct the respondent to register the settlement deed dated 15.10.2025 executed by the petitioners within the time frame fixed by this Court.

For Petitioners : Mr.S.Karthick Ramkumar

For Respondent : Mr.K.R.Badurus Zamar,
Government Advocate



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ORDER

This Writ Petition has been filed challenging the impugned refusal check slip issued by the respondent in RFL/Sathur/42/2025, dated 28.10.2025 and consequently direct the respondent to register the settlement deed dated 15.10.2025 presented by the petitioners.

2. Mr.K.R.Badurus Zamar, learned Government Advocate takes notice for the respondent.

3. By consent on either sides, this Writ Petition has been taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioners would submit that the first petitioner has two sons and the second petitioner is the elder son of the first petitioner. Both the petitioners intend to execute a settlement deed in favour of the younger son of the first petitioner. The subject property in S.No.186, to an extent of 1 acre and 62 cents, situated at Mettamalai Village, Sathur Taluk, Virudhunagar District, belonged to the first petitioner's husband, namely, Palanisamy, who purchased the same from one Jegathambal *vide* sale deed in Doc.No.2559/1996, dated 14.10.1996. The said Jegathambal purchased the property *vide* Doc.No.2578/1980, dated



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31.10.1980 from one Balakrishnan. While so, one Ravisankar, as if he is the owner of the subject property, executed a sale deed in favour of Backialasar *vide* Doc.No.5553/2006, dated 23.08.2006. Once again, one Selvaraj, by virtue of sale deed in Doc.No.649/2011, dated 27.01.2011, sold it to one Sankareswaran. According to the learned counsel for the petitioner, all along the petitioners' family has been in possession and enjoyment of the subject property and the sale deeds dated 23.08.2006 and 27.01.2011 are forged. At the instance of the officials, with an intention to create encumbrance in the subject property and to put the petitioners to hardship, these sale deeds were registered. The husband of the first petitioner passed away on 13.08.2018. Thereafter, the petitioners intended to execute a settlement deed in favour of the first petitioner's younger son, namely, Shankaranarayanan, in respect of the subject property. In such circumstances, the impugned refusal check slip has been issued by citing the sale deeds dated 23.08.2006 and 27.01.2011. Hence, the present petition.

5. The learned Government Advocate appearing for the respondent would submit that since there were two sale deeds already executed, in respect of the subject property, the respondent was not in a position to register the settlement deed presented by the petitioners.



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6. I have given due consideration to the submissions made on either sides.

7. The subject property was initially purchased by one Jegathambal from Balakrishnan on 31.10.1980 *vide* Doc.No.2578/1980. Subsequently, Jegathambal sold the property to the husband of the first petitioner on 14.10.1996 *vide* Doc.No.2559/1996. The first petitioner's husband passed away on 13.04.2018, leaving behind the petitioners (his wife and elder son) and another son as legal heirs. While so, the petitioners intended to execute a settlement deed in favour of the second son of the first petitioner. Under such circumstances, the impugned refusal check slip came to be issued, by citing the sale deeds dated 23.08.2006 and 27.01.2011.

8. Certainly, subsequent to the purchase of the subject property on 14.10.1996, the first petitioner's husband has neither sold the subject property nor executed any other document in respect of the subject property. While so, one Ravisankar, without any entitlement over the subject property, executed a sale deed in favour of Backialasar *vide* Doc.No.5553/2006, dated 23.08.2006. Once again, one Selvaraj also, without any right over the subject property, by virtue of sale deed in Doc.No.649/2011 dated 27.01.2011, sold it to one Sankareswaran. To be noted, the above two sale



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deeds do not mention anything about the rights of Ravisankar and Selvaraj respectively over the subject property. Therefore, it is crystal clear that the above two sale deeds were created bogusly and registered with an intention to create encumbrance in the subject property. Such being the case, the respondent / Sub Registrar, Sathur is supposed to have verified the entitlement of the vendors of the sale deeds dated 23.08.2006 and 27.01.2011 over the subject property by conducting enquiry in this regard. However, he failed to do so. This Court also suspects the involvement of the officials, who occupied the position of the Sub Registrar, Sathur at the time of registration of sale deeds dated 23.08.2006 and 27.01.2011. It is for the Authorities to conduct enquiry with regard to the same and take appropriate action.

9. As stated above, the sale deeds dated 23.08.2006 and 27.01.2011 are forged and will not have any legal sanctity and therefore, the petitioners and the second son of the first petitioner, who are the legal heirs of the deceased Palanisamy will have full right over the subject property. Therefore, in the event, if the petitioners intend to execute a settlement deed in favour of the second son of the first petitioner, there is no impediment for the respondent to register the same. Hence, the impugned refusal check slip issued by the respondent in RFL/Sathur/42/2025, dated 28.10.2025 is liable



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to be set aside and accordingly, set aside. The petitioners are directed to re-present the settlement deed dated 15.10.2025 before the respondent and upon re-presentation, the respondent is directed to register the same forthwith, if it is in accordance with law.

10. Accordingly, this Writ Petition is allowed. No costs.

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Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

The Sub Registrar,
Sattur,
Sathur Sub Registrar Office,
Virudhunagar District.



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KRISHNAN RAMASAMY, J.

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