



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 4404 of 2026

K.Syed Abdul Rahman Ahmed,
No.46/1, Chattira Street,
Gingee, Villupuram District -604 202.

..Petitioner(s)

Vs

1. The Inspector General of Registration,
Santhome High Road,
Chennai-600 028.
2. The Sub Registrar,
Sub-Registrar Office,
Gingee-605 201.
3. The Secretary,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai-600 001.
4. The Superintendent of Wakf,
TamilNadu Wakf Board,
Cuddalore Division,
No.512, Gandhi Road,
Panruti -607 106.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of writ of mandamus, directing the 2nd Respondent to register the Memorandum of Deposit of Title Deeds dated 29.12.2025 executed by the Petitioner in favour of Ujjivan Small Finance Bank Ltd., in respect of the property situated at Village, Survey Nos.40/1C1 and 40/17B, Sakkarapuram



Village, Gingee Taluk, Villupuram District measuring 2158 Sq. Ft. and 376.73 Sq. Ft. within a time frame as may be fixed by this Honble Court.

For Petitioner(s): Mr.V.Chandrasekaran

For Respondent(s): Mr.Dominic S.David
Government Counsel for R1 & R2

Mr.T.Saikrishnan for R3 & R4

ORDER

This Writ Petition has been filed for a mandamus, directing the 2nd Respondent to register the Memorandum of Deposit of Title Deeds dated 29.12.2025 presented by the Petitioner.

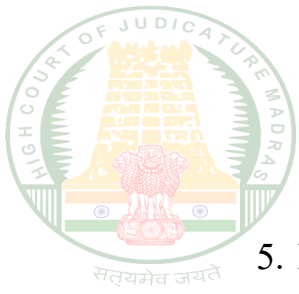
2. The learned counsel appearing for the petitioner would submit that the petitioner has been in enjoyment of the property situated in Survey Nos.40/1C1 and 40/17B, Sakkarapuram Village, Gingee Taluk, Villupuram District. While so, for the purpose of obtaining loan for the purpose of the petitioner's sister's marriage expenses, the petitioner intend to mortgage the property and submitted memorandum of deposit of title deeds dated 29.12.2025, however, the 2nd respondent / Sub-Registrar refused to register the title deeds stating that there was an objection on the part of the 3rd & 4th respondents / Tamil Nadu Wakf Board. The learned counsel would submit that there was suit filed by the 3rd & 4th respondents / Wakf Board for declaration of title and recovery of possession



in O.S.No.295 of 1973 and the said suit was dismissed on 10.09.1975, against which, appeal filed in A.S.No.479 of 1975 came to be dismissed by order dated 18.02.1977, confirming the order made in O.S.No.295 of 1973. Therefore, he would submit that since the issue regarding title has attained finality, the 3rd & 4th respondents / Wakf Board cannot make any objection for registration of title deeds submitted by the petitioner as they have no right over the property. The petitioner has also made representation dated 26.01.2026 to register the title deeds however, the 2nd respondent orally refused to register the same. Hence, the present writ petition is filed.

3. The learned counsel for the 3rd & 4th respondents / Wakf Board would submit that a second appeal is pending as against the order made in A.S.No.479 of 1975 therefore, no order can be passed by the respondents. The learned Government Counsel appearing for the 1st & 2nd respondents would submit that since an objection was received from the 3rd & 4th respondents / Wakf Board, the 2nd respondent is not in a position to register the title deeds. However, he would submit that if any order is passed, the same will be complied with.

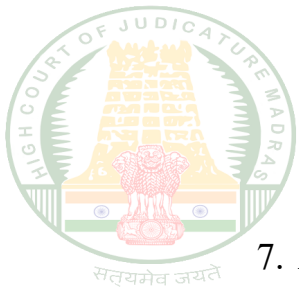
4. Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondents and perused the material available on record.



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5. In the present case, a suit filed by the Wakf Board for declaration of title and for recovery of possession in O.S.No.295 of 1973 was dismissed on 10.09.1975 subsequently, appeal filed in A.S.No.479 of 1975 also came to be dismissed by order dated 18.02.1977. Since the same has attained finality, the Wakf Board has no title over the subject properties. Therefore, they have no authority to make any objection before the Sub-Registrar regarding the subject property. Therefore, the 2nd respondent no need to consider the objection filed by the 3rd & 4th respondents / Wakf Board, since title suit filed by them has attained finality in A.S.No.479 of 1975 by virtue of the judgment and decree dated 18.02.1977. As per the said judgment and decree, the 3rd & 4th respondents / Wakf Board is not the owner of the property. Without considering the said aspect, orally refusing to register the title deeds submitted by the petitioner is not acceptable.

6. Such being the case, the petitioner is directed to re-present the memorandum of deposit of title deeds dated 29.12.2025 before the 2nd respondent. Upon such re-presentation, the 2nd respondent is directed to register the same forthwith, preferably within a period of two days from the date of such re-presentation by the petitioner.



7. Accordingly, this Writ Petition is allowed with the above terms. No

costs.

18-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KKN

To

1. The Inspector General of Registration,
Santhome High Road,
Chennai-600 028.
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KRISHNAN RAMASAMY, J.

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