



WEB COPY

WP No. 12424 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 12424 of 2026

Kathiravan

..Petitioner(s)

Vs

1. The District Registrar(Administration),
Kallakurichi District,
Kallakurichi.

2. The Joint II Sub Registrar,
Kallakurichi,
Kallakurichi District.

..Respondent(s)

calling for the records of the 2nd respondent vide refusal No.RFL/Joint II Sub Registrar Kallakurichi/23/2026 dated 20.03.2026 and quash the same subsequently direct the 2nd respondent to registrar petitioners document of release deed dated 20.03.2026.

For Petitioner(s): Mr.N.RANJITH KUMAR

For Respondent(s): Mr.U.Baranidharan,
Special Government Pleader

Order

This writ petition has been filed, challenging the impugned refusal check slip dated 20.03.2026 issued by the second respondent, refusing to register the release deed dated 20.03.2026, presented by the petitioner for registration on the ground that the patta produced by the petitioner is a joint patta, which includes the names of third parties as well.



2.The petitioner contends before this Court that only by virtue of the partition deed registered in the year 2001, the petitioner traces his title for the property. Hence, according to the petitioner, since the releasors of the release deed were also parties to the partition deed, there is no legal impediment for the second respondent to register the release deed, presented by the petitioner for registration.

3.Learned counsel for the petitioner would submit that despite production of the original partition deed, which is the parent document, the second respondent has passed the impugned refusal check slip. Therefore, according to him, the impugned refusal check slip dated 20.03.2026 is arbitrary and illegal. The petitioner has also challenged the impugned refusal check slip on the ground of violation of the principles of natural justice, as no opportunity of hearing was granted to the petitioner by the second respondent prior to the passing of the impugned refusal check slip.

4.Mr.U.Baranidharan, learned Special Government Pleader accepts notice on behalf of the respondents.

5.As seen from the impugned order, no reasons have been given by the second respondent as to why the partition deed of the year 2001, produced by the petitioner, which is the parent document, cannot be considered for the



purpose of registering the release deed, presented by the petitioner for registration. No opportunity of hearing was also granted to the petitioner by the second respondent prior to the issuance of the impugned refusal check slip dated 20.03.2026.

6.Since the impugned refusal check slip dated 20.03.2026 is a non-speaking order with regard to the contentions of the petitioner and is an order passed in violation of the principles of natural justice, necessarily, the impugned refusal check slip dated 20.03.2026 issued by the second respondent has to be quashed by this Court and the matter has to be remanded back to the second respondent for fresh consideration, on merits and in accordance with law.

7.It is made clear by this Court that in case, the property which is the subject matter of the partition deed dated 21.06.2001 and the release deed, which was presented by the petitioner for registration and which was refused to be registered by the second respondent, are one and the same, the second respondent will have to necessarily, register the release deed, presented by the petitioner for registration, subject to the verification of the original partition deed dated 21.06.2001 by the second respondent. The petitioner shall submit a written explanation to the second respondent along with the supporting documents stating as to why there is no legal impediment for the second respondent to register the release deed, presented by the petitioner for



registration, within a period of one week from the date of receipt of a copy of this order. On receipt of the same within the stipulated time, the second respondent, after giving due consideration to the written explanation submitted by the petitioner as well as the supporting documents produced by the petitioner, shall take a final decision as to whether the release deed, presented by the petitioner can be registered or not, within a period of four weeks thereafter. In case, the second respondent decides to refuse the registration of the release deed, presented by the petitioner for registration, the second respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner as submitted in the written explanation as well as the supporting documents produced by the petitioner.

8. With the above direction, this writ petition is disposed of. No costs.

01-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VGA



To

1. The District Registrar(Administration),
Kallakurichi District,
Kallakurichi.
2. The Joint II Sub Registrar,
Kallakurichi,
Kallakurichi District.



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ABDUL QUDDHOSE J.

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