



WEB COPY

WP Nos. 36 & 37 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP Nos. 36 & 37 of 2026
and WMP.Nos.96 & 97 of 2026**

In both WPs.

P.Ramanathan, S/o. Periyasamy (Late),
Mariyammen Kovil Street, Palayapadi Village,
Annimangalam Majara, Ariyalur Taluk,
Ariyalur District.

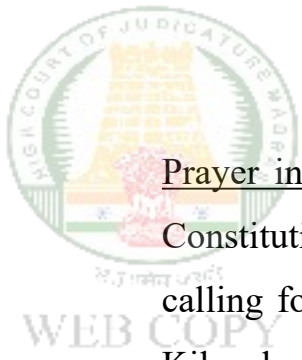
..Petitioner

Vs

1. The Inspector General of Registration,
Registration Department, Santhome, Mylapore,
Chennai-4.
2. The Sub-Registrar,
Kilapalur Sub-Registration Office,
Ariyalur District.

..Respondents

Prayer in W.P.No.36 of 2026: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records of the impugned order passed in Refusal Number RFL Kilapalur/404/2025 dated on 04/11/2025 passed by the 2nd Respondent and quash the same and consequently directing Respondents 1 and 2 to register the settlement deed executed by the petitioner in favour of his son Baranidharan in respect of the property in Survey No.252/1A1 in Temporary No.TP/237100723/2025.



Prayer in W.P.No.37 of 2026: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records of the impugned order passed in Refusal Number RFL Kilapalur/405/2025 dated on 04/11/2025 passed by the 2nd Respondent and quash the same and consequently directing Respondents 1 and 2 to register the settlement deed executed by the petitioner in favour of his sister Buvaneshwari in respect of the property in Survey No.252/1A5 in Temporary No.TP/237101518/2025.

In both WPs.

For Petitioners: Mr. T. Ramanathan

For Respondents: Mr. P.Harish, Government Advocate

COMMON ORDER

A partition suit was filed by and between the petitioner and the members of his family in O.S.No.94 of 2024 before learned Additional District Judge, Ariyalur. Upon reference to the Lok Adalat, the matter was settled and an award was issued on 08.03.2025. Under the award, the items of property mentioned in paragraph 7 of the affidavits were allotted to the petitioner. Intending to settle some of the properties in favour of the petitioner's son and sister, respectively, the petitioner presented two settlement deeds before the registering officer. The said requests for registration were rejected under separate refusal check slips on the ground that a 17 foot pathway is shown in the schedule.



2. Learned counsel for the petitioner submits that the said pathway is a private pathway intended to enable access and is not on account of an unapproved layout being formed. Hence, he submits that the impugned orders cannot be sustained.

3. Mr.P.Harish, learned Government Advocate, accepts notice on behalf of both the respondents. He submits that power was exercised under Section 22-A(2) of the Registration Act, 1908 because the 17 foot pathway was noticed.

4. On perusal of the impugned refusal check slips, it appears that the only basis for refusing to register the settlement deeds is the presence of a 17 foot pathway. It does not appear that the registering officer noticed the registration of multiple plots forming part of the larger extent of the property in order to conclude that this property is part of an unapproved layout. Therefore, the matter warrants reconsideration. In order to facilitate the same, the impugned orders are set aside and the matter is remanded to the Sub-Registrar for reconsideration. The petitioner is permitted to submit evidence, if any, that the relevant properties are not part of an unapproved layout. If necessary, the registering officer may carry out an inspection. After providing a reasonable opportunity to the petitioner, the registering officer shall either register the



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settlement deeds or issue a speaking order of refusal. These actions shall be completed within a maximum period of one month from the date of re-presentation of the relevant settlement deeds.

5. The writ petitions are disposed of on the above terms. There will be no order as to costs. Consequently, connected miscellaneous petitions are closed.

22-01-2026

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

1. The Inspector General of Registration,
Registration Department, Santhome, Mylapore, Chennai-4.
2. The Sub-Registrar,
Kilapalur Sub-Registration Office,
Ariyalur District.

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