



WP(MD). No.964 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 19/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

WP(MD). No.964 of 2026

S.R.Kannan

... Petitioner

Vs

1. The District Registrar,
Madurai, Madurai District.

2. The Sub-Registrar,,
Nagamalai Pudukkottai Sub-Register Office,
Nagamalai Pudukkottai, Madurai District.

3. C.Muthukaruppan Servai,,
Son of Chinnakaalai Servai,
Mela Theru, Otha Veedu,
Nagamalai Pudukkottai,
Madurai District 625019.

... Respondents

PRAYER :-Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned Refusal Check Slip in Refusal No. RFL/Nagamalai Pudukkottai/2/2026 dated 06.01.2026 on the file of the respondent No.2 and quash the same as illegal and consequently direct the Respondent No.2 to register the Settlement deed made in favour of the petitioner by his mother namely, R.Vijaya, in respect of land in Resurvey Number 49/17A2 situated at Kardipatti



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Village, Madurai West Taluk, Madurai District to an extent of 5 Cents within the time frame stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman
For Respondent : Mr.M.Lingadurai for R1 and R2
Spl. Government Pleader
Mr.M.Jerin Mathew for R3

ORDER

This writ petition has been filed challenging the refusal check slip dated 06.01.2026 issued by the 2nd respondent and to direct the 2nd respondent to register the settlement deed presented by the petitioner for registration.

2. Heard the learned counsel for the petitioner, the learned Special Government Pleader for the official respondents and the learned counsel for the 3rd respondent. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

3. The learned counsel for the petitioner would submit that when the petitioner presented the settlement deed for registration, the same was refused to be registered by the 2nd respondent on the ground that in the encumbrance certificate, there is an entry to the effect that the subject



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property was sold by one Muthukaruppan/3rd respondent herein to one Muthulakshmi on behalf of the third respondent as well as on behalf of minors Jeyakani and Thangamani. However, the learned counsel would submit that the petitioner's mother is the owner of the property, who purchased the property as early as on 09.05.1968 from one Thasarathi Ammal and without any title or right, the third respondent has sold the said property on 16.03.1995, for which a complaint came to be lodged and the third respondent himself has submitted a letter dated 19.12.2023 thereby admitted that though he has no title or right over the subject property, he was called as a witness, however, his name has been wrongly mentioned as seller. On these grounds, the learned counsel prays for interference.

5. Per contra, the learned Special Government Pleader would submit that since there is an entry with regard to the subject property to the effect that the subject property was sold by the third respondent to some third party, refusal was made by the 2nd respondent.

6. However, the third respondent/executor has represented through



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a counsel, who would contend that even the third respondent has no way connected with those transactions. He would submit that under the guise of witness, he was called to sign as a witness, however, his name has been wrongly used as executor without his knowledge and the said fact came to his knowledge only on the complaint lodged by the petitioner herein. The learned counsel would also submit that the third respondent is passed away.

7. I have considered the rival submissions and perused the materials available on record.

8. It appears that in the present case, the petitioner's mother intends to execute a settlement deed in favour of the petitioner herein with regard to the subject property. However, it is the stand of the 2nd respondent that it came to light through the entry to the effect that the third respondent has sold the subject property on his behalf and on behalf of the minors Jeyakani and Thangamani to one Muthulakshmi. However, without any title or right, such transfer has been made by the third respondent. The third respondent was called only as a witness to sign as a witness to the



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transaction, however, his name has been fraudulently misused by some third parties as seller of the property. Hence, the said document in Doc.No.628/1995 dated 16.03.1995 is a fraudulent one. When the document itself is a fraudulent one, which was registered without any valid title or right, that will not have any legal sanctity, the petitioner's mother is entitled to settle the property in favour of the petitioner herein. Therefore, while setting aside the impugned order, the petitioner is directed to represent the sale deed dated 13.02.2026 and upon such representation, the 2nd respondent shall register the same forthwith, if the same is otherwise in order.

8. The writ petition is disposed of with the above direction. No costs.

19.02.2026

NCC : Yes/No

Index : Yes/No

RR

TO

1. The District Registrar,
Madurai, Madurai District.

2. The Sub-Registrar,,
Nagamalai Pudukkottai Sub-Register Office,
Nagamalai Pudukkottai, Madurai District.

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KRISHNAN RAMASAMY, J

RR

**ORDER
IN
WP(MD) No.964 of 2026**

Date : 19/02/2026