



W.P.(MD)No.2980 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.2980 of 2026

Robin David

... Petitioner

Vs.

1.The District Registrar,
Thoothukudi District,
Thoothukudi.

2.The Sub Registrar,
Sub Registrar Office,
Udangudi,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the refusal check slip in RFL/உடன்குடி/67/2025 issued by the second respondent dated 25.07.2025 and quash the same as unlawful and unsustainable consequently directing the second respondent to register the



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settlement deed dated 25.07.2025 as and when the same is presented by the petitioner.

For Petitioner : Mr.S.Muniyandi

For Respondents : Mr.V.Om Prakash

Government Advocate

ORDER

Challenge has been made against the refusal check slip issued by the second respondent dated 25.07.2025.

2.By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned Counsel for the petitioner would submit that the petitioner intending to execute a settlement deed in favour of his brother, presented the document before the second respondent for registration. The same came to be refused by the second respondent, citing the reason that the boundaries have not been mentioned properly. Hence, the present Writ Petition.



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4.Learned Government Advocate appearing for the respondents would submit that the boundaries of the subject property has not been properly mentioned as per the release deed dated 09.10.2024. Hence, the respondents are not in a position to register the settlement deed.

5.Heard the learned Counsel on either side.

6.Admittedly, the subject property is an ancestral property and the petitioner's co-brothers have earlier executed a release deed in favour of the petitioner on 09.10.2024. Now, the petitioner intends to settle the property in favour of his brother Stephen Ponnaiah. At this stage, it is not correct on the part of the respondent to reject the settlement deed dated 25.07.2025 by citing the reasons that the four boundaries mentioned in the settlement deed is not as per the release deed. The petitioner may also claim right by virtue of possession over a period of 12 years or otherwise, over and above the extent mentioned in the release deed, in which case, the respondents are not the competent authority to decide the title of the petitioner. Hence, the respondents are bound to register the settlement deed presented



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by the petitioner. It is the prerogative of the petitioner who is settling the property to mention the boundary, for which the previous deed is immaterial. It may differ from previous sale deed. The Registrar has to verify as to whether the survey numbers mentioned in the previous deed and present deed are one and the same. As stated above, the boundaries will differ from time to time, depends upon the adjacent land owners and the said aspect cannot be considered by the Registrar. If there is any dispute on the boundaries of the subject land, the same has to be agitated before any appropriate civil court. When such being the case, in the absence of any objection, the respondent cannot refuse to register the sale deed of the petitioner.

7. Therefore, the impugned order dated 25.07.2025, passed by the second respondent without application of mind is set aside. While setting aside the impugned order, this Court directs the second respondent to register the settlement deed upon re-presentation of the same, with immediate effect.



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8.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

05.02.2026

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

MR



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To

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Thoothukudi District,
Thoothukudi.

2.The Sub Registrar,
Sub Registrar Office,
Udangudi,
Thoothukudi District.



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KRISHNAN RAMASAMY, J.

MR

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