



WP(MD). No.3316 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 06/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

WP(MD). No.3316 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 this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the refusal check slip in RFL/Udangudi/66/2025 issued by the 2nd respondent dated 25.07.2025 and quash the same as unlawful and unsustainable consequently directing the 2nd respondent to register the settlement deed dated 25.07.2025 as and when the same is presented by the petitioner.



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For Petitioner : Mr.S.Muniyandi
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip dated 25.07.2025 issued by the 2nd respondent and to direct the 2nd respondent to register the settlement deed dated 25.07.2025 as and when the same is presented by the petitioner.

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

3. When the petitioner presented the settlement deed for registration, the same was refused to be registered by the 2nd respondent on the ground that neither boundaries nor extent of the property is mentioned. Challenging the said refusal, the petitioner is before this Court.



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4. The learned counsel for the petitioner would submit that the petitioner acquired the property by way settlement through partition among the family members in S.No.262/2 to an extent of 54.34 cents of land. The petitioner as well as other two brothers are entitled to entire 50% of the land. Out of the said 54.34 cents, the petitioner as well as other brother is relinquishing their rights in favour of Stephen Ponnaiah. Under these circumstances, the patta was issued for the entire extent of land ie., to an extent of 1.17 hectares. However, when they presented the settlement deed for registration, the 2nd respondent refused to register.

5. The learned Special Government Pleader would submit that it is a joint patta, which was not subdivided and without boundaries, they have presented the document and hence, the document was refused to be registered.

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



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7. It appears that in the present case, after all, among three brothers, two of them are relinquishing their right over the property and of course, patta has been issued for the total extent of the property ie. 1.17 hectares. When such being the case, each brother is entitled to 18.11 cents out of 54.34 cents of land and they are going to relinquish their rights and settle the said property in favour of their another brother Stephen Ponnaiah. Therefore, I do not find any justification on the part of the 2nd respondent in refusing to register the settlement deed citing the reasons that boundaries are not mentioned. Even for the undivided share and in the event of boundaries mentioned, whatever they are entitled as on date, they would only show by merely mentioning the boundaries, which will not give any title unless and otherwise the same is accepted by other shareholders without any dispute. Such being the case, it is not for the Sub Registrar to insist upon to subdivide the land and thereafter file a release deed. Therefore, while setting aside the impugned order, the petitioner is directed to represent the settlement deed dated 25.07.2025 and upon such representation, the 2nd respondent shall register the same forthwith, if the same is otherwise in order.



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

06.02.2026

NCC : Yes/No

Index : Yes/No

RR

TO

1. The District Registrar,
Thoothukudi District,
Thoothukudi..

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



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KRISHNAN RAMASAMY, J

RR

**ORDER
IN
WP(MD) No.3316 of 2026**

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