



W.P.(MD)No.3563 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2026

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THE HONOURABLE **Mr. JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.3563 of 2026

Kaliraj

...Petitioner

vs.

1. The District Registrar,
Virudhunagar Registration District,
Virudhunagar District.

2. The Sub Registrar,
Panthakudi,
Virudhunagar District.

3. The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus call for the records pertaining to the impugned Refusal Check Slip issued by 2nd respondent in RFL/Panthalkudi/24/2025 dated 15-Oct-2025 and quash the same and consequently direct the 2nd respondent to register the Settlement Deed dated 15.10.2025 executed in favour of the petitioner within a time limit that may be stipulated by this Court.

For Petitioner : Ms.T.Jayanthi

For Respondents : Mr.M.Lingadurai,
Special Government Pleader



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ORDER

This Writ Petition has been filed challenging the impugned Refusal Check Slip issued by second respondent in RFL/Panthalkudi/24/2025, dated 15.10.2025 and to direct the second respondent to register the Settlement Deed dated 15.10.2025 executed in favour of the petitioner.

2. Mr.M.Lingadurai, learned Special Government Pleader takes notice for the respondents.

3. By consent on either sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioner would submit that the petitioner's father inherited the subject property and now intends to settle the same in favour of the petitioner by virtue of the settlement deed dated 15.10.2025. However, the settlement deed was refused to be registered by the second respondent citing the reason that a suit filed by the third parties in O.S.No.136 of 2021 on the file of the District Munsif Court, Aruppukottai for declaration was dismissed. It is also stated that unless and otherwise, a declaration was obtained by the petitioner from the Civil Court, the settlement deed cannot be considered for registration. However, according



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to the learned counsel, the petitioner is not at all a party to the aforesaid suit.

The suit was filed by third parties, namely, Indirani, Vijaya, Poornam, Pandarasamy and Muthuvel and they have impleaded one Pasumai Kathiresan alone as a defendant. The suit was dismissed as against the plaintiffs and the dismissal of the suit will confer no right on Pasumai Kathiresan. According to the learned counsel, third parties are claiming right over the petitioner's property. Further, he would submit that the third respondent / Revenue Divisional Officer, Aruppukkottai conducted patta proceedings, wherein, one of the plaintiffs and the defendant in the suit were also parties. After conducting thorough enquiry, the third respondent passed orders to issue patta in the name of the petitioner's father. So far, no appeal was filed as against the said order. He therefore prayed for setting aside the impugned refusal check slip.

5. The learned Special Government Pleader appearing for the respondents would submit that since a declaration suit was filed by third parties and the same was rejected, the second respondent was not in a position to register the settlement deed dated 15.10.2025. He would also submit that the third respondent conducted a patta proceedings, wherein, one of the plaintiffs and the defendant in the suit were also parties, and passed orders to issue patta in the name of the petitioner's father.



6. Heard both sides.

7. In the present case, the reason for refusal to register the settlement deed executed by the petitioner's father and others in favour of the petitioner was that there was a declaration suit filed by some third parties, namely, Indirani, Vijaya, Poornam, Pandarasamy, Muthuvel in O.S.No.136 of 2021 on the file of the District Munsif Court, Aruppukottai against one Pasumai Kathiresan and the same was dismissed. However, admittedly, the petitioner was not a party to the above suit. The petitioner claims that his father is the rightful owner of the property. Patta proceedings was conducted by the third respondent, wherein Pasumai Kathiresan, defendant and Pandarasamy, one of the plaintiffs were impleaded as opposite parties. After conducting thorough enquiry, patta was issued in the name of the petitioner's father. Under such circumstances, citing the dismissal of suit, where neither the petitioner nor his father was a party, the respondents cannot refuse to register the settlement deed dated 15.10.2025 executed in favour of the petitioner.

8. In view of the above, the impugned Refusal Check Slip issued by second respondent in RFL/Panthalkudi/24/2025, dated 15.10.2025 is set aside. The petitioner is directed to re-present the settlement deed dated 15.10.2025 before the second respondent and upon re-presentation, the



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second respondent is directed to register the same forthwith, if it is otherwise in order.

9. Accordingly, this Writ Petition is disposed of. No costs.

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Speaking / Non-speaking order

Index : Yes/No

NCC : Yes/No

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To

1. The District Registrar,
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2. The Sub Registrar,
Panthakudi,
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3. The Revenue Divisional Officer,
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KRISHNAN RAMASAMY, J.

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