



WP(MD). No.3766 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 11/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

**WP(MD). No.3766 of 2026
and WMP(MD) Nos.3074 and 3076 of 2026**

1. A.Shanthi,
2. A.Saroja,

... Petitioners

Vs

1. The District Registrar,
Palayamkottai,
Tirunelveli District..

2. The Sub Registrar,
Sub Registrar Office,
Melapalayam Taluk,
Tirunelveli 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 relating to the impugned refusal Slip RFL/Melapalayam/Book2/9 dated 10.04.2024 issued by the 2nd respondent and the consequential order issued by the 1st respondent in his proceeding in Na.Ka.No.5668/A1/2025 dated 18.11.2025 and quash the same as illegal and consequentially to direct the Respondents to register the release deed dated 10.04.2024 in respect of lands comprised



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in S.No.627/1C, S.No.628, S.No.629/1 (South) to an extent of 1 Acre and S.No.629/2, 627/1A, 627/2, 627/3, 629/1 (Northern) to an extent of 30 cents and S.No.634 situated at Pudukulam Village, Palayamkottai Taluk, Tirunelveli District, after conducting enquiry within a time stipulated by this Court.

For Petitioners : Ms.S.Mamtha
For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal Check Slip dated 10.04.2024 issued by the 2nd respondent and the consequential order of the 1st respondent in his proceeding in Na.Ka.No. 5668/A1/2025 dated 18.11.2025 and consequentially to direct the respondents to register the release deed dated 10.04.2024 in respect of lands comprised in S.No.627/1C, S.No.628, S.No.629/1 (South) to an extent of 1 Acre and S.No.629/2, 627/1A, 627/2, 627/3, 629/1 (Northern) to an extent of 30 cents and S.No.634 situated at Pudukulam Village, Palayamkottai Taluk, Tirunelveli District, after conducting enquiry within a time stipulated by this Court.

2. Heard the learned counsel for the petitioners and the learned



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Special Government Pleader for the 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 petitioners presented the document/release deed for registration, the same was refused to be registered by the 2nd respondent on the ground that the property in question has already been registered. Challenging the said refusal, the petitioners are before this Court.

4. The learned counsel for the petitioners would submit that the property in question belong to their father and after his demise, the petitioners and their siblings were in exclusive possession and enjoyment of the same. However, the siblings of the petitioners were executed a release deed in favour of the petitioners including S.No.629/1 and when the same came to be presented for registration, it was rejected stating that the property in question was already registered. Challenging the said refusal, the petitioners rightly preferred an appeal before the first respondent and that appeal came to be rejected on the ground that it was filed belatedly beyond the period of limitation of 30 days. The learned



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counsel would contend that when the records were in the name of the petitioners and their siblings, the registration made by the third parties in respect of the property of the petitioners is illegal. On the ground of delay in filing the appeal is concerned, the learned counsel would submit that after the order refusing to register the document was served on the petitioners, the petitioners rightly preferred the appeal within time and the lapse is on the part of the 2nd respondent in not serving the refusal order on the petitioners and hence, for no fault on the petitioners, the appeal could not be rejected. It is also contended that in a suit filed for specific performance by one Sankaran, neither the petitioners nor their siblings were impleaded as parties and suit was filed against one Ilangovan and Sankaran is no way connected with the properties in question.

5. Per contra, the learned Special Government Pleader, would submit that since there are two registration in respect of the same property, the release document has been rightly rejected by the respondents. He would further contend that on appeal also, the same was confirmed and the appeal has been filed belatedly.



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

7. It appears that in the present case, the property in question belongs to the petitioners' family and initially, the petitioners' father owned the property and after his demise, the siblings of the petitioners along with the petitioners were in possession and enjoyment. Subsequently, the siblings of the petitioners executed a release deed in favour of the petitioners in S.No.629/1 and when it was presented, it came to be refused on the ground that already the property in question was registered in favour of one Sankaran vide document No.10394/2022 pursuant to the suit filed for specific performance. The specific performance suit was decreed in favour of one Sankaran and he is no way connected with the properties in question and the suit was filed against one Ilangovan, who is also no way connected with the present properties and without impleading the petitioners herein and their family members, the suit was filed and subsequently the property was registered in favour of Sankaran and hence, the decree will neither bind the petitioners nor



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their family members. When such being the position, I do not find any impediment for the 2nd respondent to register the release deed.

7. Accordingly, the writ petition stands allowed and the impugned orders are set aside and the petitioners are directed to represent the release deeds and upon such representation, the 2nd respondent shall register the same forthwith. No costs. Consequently connected Miscellaneous Petitions are closed.

11.02.2026

NCC : Yes/No

Index : Yes/No

RR

TO

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Tirunelveli District..

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KRISHNAN RAMASAMY, J

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