



W.P.(MD)No.5572 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.5572 of 2026

and

W.M.P.(MD)Nos.4661 and 4662 of 2026

P.N.S.S.Mohammed Kalith Uthin Olith

... Petitioner

-VS-

1.The District Registrar,
District Registrar Office,
Madurai District.

2.The Joint Sub Registrar,
Madurai South,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the entire records in connection with the impugned order passed by the second respondent in Na.Ka.No.904/R1/2026 dated 04.02.2026 and quash the same as illegal.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mrs.K.Malathi
Additional Government Pleader



W.P.(MD)No.5572 of 2026

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ORDER

The writ petition is filed challenging the impugned order dated 04.02.2026 passed by the second respondent.

2. Upon hearing the learned counsel for the petitioner and perusing the materials on record, it is seen that the grievance of the petitioner is that the property in question belongs to three persons, namely, the petitioner, his father, and another relative. Insofar as the undivided share of the petitioner's father is concerned, it is stated that the father executed a settlement deed in favour of his another son, who is the brother of the petitioner. The petitioner has objected to the said settlement deed on the ground that it is violative of Muslim personal law and has further contended that the document is forged and fabricated. The objections raised by the petitioner were considered, and thereafter, the impugned order came to be passed.

3. It is stated in the impugned order that since the settlement deed has already been registered and released to the parties, it is open to the petitioner to approach the competent civil court for appropriate relief.



W.P.(MD)No.5572 of 2026

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4. The learned counsel for the petitioner would submit that when a document is violative of law, Section 22B of the Registration Act, 1908 [hereinafter referred to as 'the Act'] enables the Sub-Registrar to refuse registration, and therefore, the impugned order is erroneous in law.

5. This Court is of the view that the scope of enquiry under Section 22B of the Act, with reference to fraudulent documents or documents prohibited by law, cannot be enlarged so as to adjudicate upon personal law claims or disputed questions of title, particularly, after the document has already been registered. If the petitioner is of the view that the settlement deed cannot withstand scrutiny on account of any principle of personal law or otherwise, it is for him to work out his remedy before the appropriate civil court. Such liberty has also been granted in the impugned order.

6. Therefore, finding no merit in the writ petition and reserving liberty to the petitioner to approach the appropriate civil court, if so advised, this writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Neutral Citation : Yes / No
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02.03.2026



W.P.(MD)No.5572 of 2026

To:-

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- 1.The District Registrar,
District Registrar Office,
Madurai District.
- 2.The Joint Sub Registrar,
Madurai South,
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W.P.(MD)No.5572 of 2026

D.BHARATHA CHAKRAVARTHY, J.

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W.P.(MD)No.5572 of 2026

02.03.2026

Page 5 of 5