



W.P.(MD)No.9585 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.9585 of 2026

Senthilnathan

.. Petitioner

- Vs. -

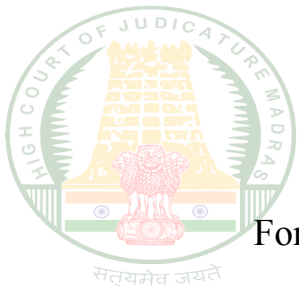
1.The District Registrar,
Sivagangai,
Sivagangai District.

2.The Sub Registrar,
Office of the Sub Registrar,
Devakottai,
Sivagangai District.

3.Rajalakshmi

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings of the first respondent in refusal slip in RFL No.23/2026, dated 24.02.2026 and quash the same as illegal and consequently, direct the first respondent to allow the petitioner to present deed for its registration in respect of properties in S.No.A/17/128 of Pannipullanvayal Village, Kannangkottai Group, Devakottai Town, Devakottai Taluk, Sivagangai District.



W.P.(MD)No.9585 of 2026

For Petitioner

: Mr.R.Balamuruganantham

For Respondents

: Mr.R.Parthiban

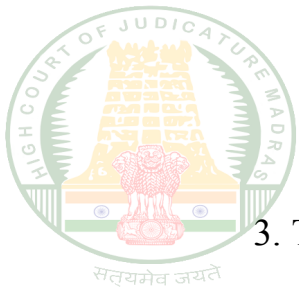
Government Advocate for R1 & R2

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ORDER

The writ petition is filed challenging the impugned refusal check slip, dated 24.02.2026.

2. The case of the petitioner is that the property originally belonged to his father's brother, Vairavan @ Karuppaiah. He has executed a registered Will on 23.04.2013 registered as document No.31 of 2013. Subsequently, the said Vairavan @ Karuppaiah died and as such, the properties came to be vested with the petitioner. The petitioner now wants to settle the property in the name of his wife and when the settlement deed is presented, the impugned refusal check slip is passed. The reason that is mentioned in the refusal check slip is that one Saravanan S/o. Thangavelu had executed a settlement deed in favour of his wife Rajalakshmi, vide document No.3704 of 2024 and the patta in respect of the property stands in the name of the petitioner and therefore, leaving it open to the petitioner to approach the civil Court, the document was refused to be registered.



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3. The learned counsel, by pointing out the material records that are filed along with the writ petition, would submit that the property originally belonged only to the petitioner's father's, brother Vairavan. One Arockiamery, who had no connection whatsoever with reference to the said property. By making use of an erroneous entry in the revenue records which crept in during the UDR enumeration, the rival document is executed. As a matter of fact, the petitioner approached the revenue authorities for correction, and ultimately, by an order dated 11.09.2013, the mistake was ordered to be corrected. Thereafter, only to counter the same clandestinely, the said third person has executed the settlement deed in the name of his own wife. However, notwithstanding the same, based on the directions issued in the earlier writ petition, presently an order was passed on 03.02.2026, ordering mutation of patta in the name of the petitioner, and accordingly, the patta was also issued in the name of the petitioner. Therefore, the learned counsel would submit that notwithstanding the erroneous registration of the settlement deed in the name of the third respondent, the petitioner's document has to be registered.

4. The learned Government Advocate appearing on behalf of the respondents 1 and 2 would submit that rival claims were made with reference to the title, especially earlier when the document was executed in the year 2024 in favour of the third respondent; the document was refused to be registered.



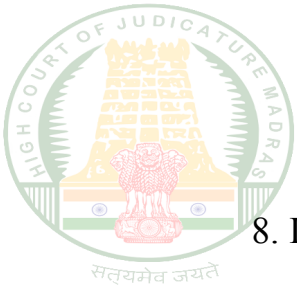
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5. Eventhough notice was served on the third respondent, the third respondent chose not to contest the case.

6. I have considered the submissions made by the learned counsel on either side and perused the material records of the case.

7. It can be seen that the petitioner is claiming title to the property through the Will and the revenue records also stand in the name of the petitioner. It is the case of the petitioner that after the revenue proceedings ended up against the husband of the third respondent, in order to overcome the same, the sham and nominal settlement deed is executed in favor of the third respondent. Be that as it may, this is a case of dispute of title. In such cases, Sub Registrar cannot go into the question of title and refuse documents. Needless to mention that mere registration of the document either in favor of the third respondent or in favor of the petitioner will not in any manner vest the title which is not vested otherwise. A useful reference can be made to the Judgment of the Hon'ble Supreme Court of India in ***K.Gopi Vs. The Sub Registrar and others*** reported in ***(2026) 2 SCC 696***, in this regard.



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8. In view thereof, this Writ Petition is allowed on the following terms:

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(i) The impugned refusal check slip dated 24.02.2026 shall stand set aside;

(ii) With the web copy of the order, it will be open for the petitioner to represent the document and upon such representation, if there is no other impediment, the same shall be registered.

(iii) No costs.

02.06.2026

NCC : No
sjj

To

1.The District Registrar,
Sivagangai,
Sivagangai District.

2.The Sub Registrar,
Office of the Sub Registrar,
Devakottai,
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D.BHARATHA CHAKRAVARTHY, J.

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