



W.P(MD)No.9905 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 08.04.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.9905 of 2026

P.Muppidathi alias Periya Muppidathi

... Petitioner

Vs.

The Sub Registrar,
Sankarankovil,
Tenkasi District.

...Respondent

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 of the impugned Refusal Check Slip in Refusal Number RFL/Sankarankovil/22/2026 dated 26.02.2026 issued by the respondent and quash the same as illegal and consequently direct the respondent to register the document submitted by the petitioner with regard to property comprised in Town survey number 2/5 situated at ward A Sankarankovil Part -1, Sankarankovil Town, Tenkasi District within a time frame fixed by this Honble Court and pass such further or other orders as this Honble court may deem fit and proper in the circumstances of this case and thus render justice.



W.P(MD)No.9905 of 2026

For Petitioner :Mr.R.J.Karthick
For Respondent :Mr.F.Deepak
Special Government Pleader

ORDER

The writ petition is filed for the following relief:-

“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 of the impugned Refusal Check Slip in Refusal Number RFL/Sankarankovil/22/2026 dated 26.02.2026 issued by the respondent and quash the same as illegal and consequently direct the respondent to register the document submitted by the petitioner with regard to property comprised in Town survey number 2/5 situated at ward A Sankarankovil Part -1, Sankarankovil Town, Tenkasi District within a time frame fixed by this Honble Court and pass such further or other orders as this Honble court may deem fit and proper in the circumstances of this case and thus render justice.”

2. Heard Mr.R.J.Karthick, learned counsel appearing for the petitioner and Mr.F.Deepak, learned Special Government Pleader, who takes notice on behalf of the respondent.



W.P(MD)No.9905 of 2026

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3. The case of the petitioner is that when he presented a Settlement Deed for registration conveying the property in question to his daughters, the same was refused for registration. The grounds for refusal are that firstly, the petitioner appears to have already conveyed the very same property to one Rajasekaran vide Doc. No. 121 of 2022 dated 13.01.2022, and therefore cannot convey it again. Secondly, it is stated that the property is covered under a joint patta and even if any land is left out, a separate patta must be obtained before the document is re-presented.

4. The learned counsel for the petitioner taking this Court through the earlier Sale Deed executed in favour of the said Rajasekaran and the present Settlement Deed would submit that there has been a subdivision with reference to the property. The earlier extent conveyed to Rajasekaran is 18.99 cents is in S.No.2/4, whereas the present extent conveyed is in S.No. 2/5. Both are distinct extents of property. It was further submitted that the petitioner owns a house and other vacant lands in the same survey number and that all owners have been granted a joint patta. Therefore, it is not necessary for the petitioner to effect mutation



W.P(MD)No.9905 of 2026

and obtain a separate patta in his name for the purpose of executing the Settlement Deed.

5. The learned Special Government Pleader appearing on behalf of the respondents, on written instructions, reiterated the reasons stated in the impugned order.

6. On a perusal of the impugned order, it can be seen that the difference in survey numbers has not been considered or addressed by the respondent. It is the contention of the petitioner that both extents relate to different properties. Further, the mere existence of a joint patta would not disentitle the petitioner. It is made clear that a document cannot be returned or refused solely on the ground that the property is covered under a joint patta, as far as the extent is concerned.

7. In view thereof, this writ petition is allowed on the following terms:-

- i. The impugned refusal check slip dated 26.02.2026 shall stand set aside.



W.P(MD)No.9905 of 2026

- ii. The petitioner shall represent the document before the Sub Registrar.
- iii. As and when the same is presented, the Sub Registrar shall consider the difference in subdivision numbers being S.Nos.2/4 and 2/5 submitted by the petitioner and the claim of the petitioner that the same are two different extents and if the claim of the petition is found to be correct this document shall be registered.
- iv. In any event the document cannot be returned on the ground that the patta is in the joint names along with the other co-owners.
- v. No costs.

08.04.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
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W.P(MD)No.9905 of 2026

D.BHARATHA CHAKRAVARTHY, J.

rgm

To

The Sub Registrar,
Sankarankovil,
Tenkasi District.

W.P(MD)No.9905 of 2026

08.04.2026