



W.P.(MD)No.15763 of 2026

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

DATED: 11.06.2026

CORAM

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.(MD)No.15763 of 2026**

K.Mariappan

.. Petitioner

- Vs. -

1.The District Registrar,  
Palani Registration District,  
Palani, Dindigul District.

2.The Joint I Sub Registrar,  
Palani Sub-Registrar Office,  
Palani, Dindigul District.

.. 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 impugned refusal check slip in RFL/No.1 Joint Sub Registrar, Palani/48/2026 dated 29.05.2026, to set aside and quash the same as illegal and consequently directing the second respondent to register the settlement deed dated 20.05.2026 presented by the petitioner for registration.

For Petitioner : Ms.G.Subiksha

For Respondents : Mr.S.Vashik Ali  
Government Standing Counsel



W.P.(MD)No.15763 of 2026

WEB COPY

## **ORDER**

The writ petition is filed challenging the impugned refusal check slip, dated 29.05.2026.

2. Upon hearing the learned counsel for the petitioner and perusing the material records of the case, it is seen that the petitioner is the subsequent purchaser of the property comprised in S.Nos.44/2D5 etc. It transpires that in respect of the said property, leaving out the female legal heirs belonging to the family, the male heirs alone dealt with the property by registering a partition deed dated 14.02.1986. Thereafter, pursuant to the partition, several deeds were executed and portions of the lands were sold, and one such extent came to be purchased by the petitioner. Now, when the petitioner presented a settlement deed for registration, the same was refused to be registered by the impugned refusal check slip. It is stated that since, in the suits filed between the parties, the said partition deed, which forms the basic parent document through which title is derived by the petitioner's predecessor-in-title, has been questioned, it is contended that all subsequent documents cannot also be treated as valid and, therefore, the petitioner's



W.P.(MD)No.15763 of 2026

purchase cannot also be treated as valid, and hence the refusal order has been passed.

3. The learned counsel for the petitioner would rely upon the Judgment of this Court in respect of the very same partition deed and lands in W.P.(MD)No.24895 of 2024, filed by one Mohammad Gani and 39 others. In the said case, this Court considered that the lands had been sold to various persons by plotting them out, and upon considering their cases, the Court allowed the writ petition permitting them to deal with the property. It was held that if only the daughters had filed a partition suit and if the respective extents had been allotted to the daughters, then all such transactions may become invalid. So long as the daughters have not yet filed partition suit, and if the extent in question falls within the share of the concerned legal heir who sold the property to the executants as claimants under the document, such a transactions can be permitted to continue.

4. Per contra, the learned Government Standing Counsel would submit that once the partition deed is declared to be illegal, thereafter, only the undivided extent can be sold by the concerned brother.



W.P.(MD)No.15763 of 2026

WEB COPY

5. In view thereof, when specific extents of land have been sold to third parties and the petitioner is claiming title ultimately through the said partition deed which is held to be illegal, the refusal check slip has rightly been passed.

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

7. Normally, if the original parent deed through which title is claimed is set aside, the Sub Registrar is right in reasoning that, based on the consequential documents, no further document can be entertained. But however, in the special facts of this case, where the brothers have dealt with the property by plotting it out and selling it to several persons, and considering the claims made by 40 persons in WP(MD)No.24895 of 2024, this Court had taken a view that when the sisters have raised the claim, they have not yet filed a partition suit, and as and when the property is allotted to the sisters, the subsequent purchasers will have no claim. However, in the meanwhile, the subsequent purchasers can be permitted to deal with the



W.P.(MD)No.15763 of 2026

property. I am of the view that the same relief can be extended to this petitioner also.

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

(i) The impugned refusal check slip, dated 29.05.2026, shall stand set aside;

(ii) The petitioner shall represent the document within three weeks from the date of receipt of a web copy of this order;

(iii) Upon such representation, the same shall be registered, if there is no other impediment;

(iv) The transaction of the petitioner shall ultimately be subject to the observations made in W.P(MD)No.24895 of 2024, and the transactions shall be subject to the final result in the suit, if any that may be filed by the daughters.

(v) No costs.

**11.06.2026**

sjj  
NCC : Yes/No



WEB COPY



W.P.(MD)No.15763 of 2026

**D.BHARATHA CHAKRAVARTHY, J.**

sjj

To

- 1.The District Registrar,  
Palani Registration District,  
Palani, Dindigul District.
- 2.The Joint I Sub Registrar,  
Palani Sub-Registrar Office,  
Palani, Dindigul District.

**W.P.(MD)No.15763 of 2026**

**11.06.2026**