



WP(MD). No.35032 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 24/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

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L.Saravanan

... Petitioner

Vs

1. The District Registrar,
Department of Registration,
Tirunelveli District, Tirunelveli..

2. The Sub Registrar,,
Sub Registrars Office,
Valliyoor, Tirunelveli District..

3. Uma Maheswari,,
W/o.Saravanan,
62a, North Street, Kalanthapanai
Thirunelveli, 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 to call for the impugned Refusal Check Slip as issued by the 2nd respondent dated 26.11.2025 under Reference No.RFL/valliyoor /60/2025 and subsequently quash the same as illegal, erroneous and consequently direct the 2nd Respondent to register the Settlement Deed vide serial No. TP/240687676/2025 in relation to the



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property bearing Survey Numbers 494/1A1,495/1A2,495/1B and 495/1C measuring to an extent of 16 Acres and 51 cents situated at Rajakamangalam part 1, Tirunelveli, Tirunelveli District forthwith.

For Petitioner : Mr.S.Palanivelayutham
For Respondent : Mr.M.Lingadurai for R1 and R2
Spl Government Pleader
Mr.S.A.Selvin Abeesh for R3

ORDER

This writ petition has been filed challenging the refusal check slip dated 26.11.2025 issued by the 2nd respondent and to direct the respondent to register the settlement deed presented by the petitioner for registration.

2. Heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the third respondent.

3. The learned counsel for the petitioner would submit that when the petitioner presented the settlement deed for registration, the same was refused by the 2nd respondent on the ground that on the date of presenting



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the document for registration, a mortgage deed is in existence and the same has not been redeemed. The learned counsel would however submit that the property is going to be settled with all encumbrances only and hence, there is no impediment for the 2nd respondent to register the settlement deed. On the said ground, the learned counsel prays for interference.

4. Per contra, the learned Special Government Pleader would submit that since there is a subsisting mortgage on the date of registration, the settlement deed is rightly refused to be registered.

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

6. It appears that in the present case, the petitioner presented a settlement deed, however, it came to be rejected citing the reason that there is a subsisting mortgage on the date of registration and the said mortgage has not been redeemed.



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7. It is seen from the records that the petitioner intends to settle the property in favour of his wife and on the date of settlement, if any encumbrance exists in the subject property, the same cannot be extinguished. In the event of the petitioner settling the property, the same shall be settled along with all the encumbrances on the date of settlement. Therefore, in the present case, the mortgage deed would continue as it is even after the settlement of the properties. Therefore, I find that there is no impediment for the 2nd respondent to register the settlement deed. Accordingly, while setting aside the impugned order, the petitioner is directed to represent the settlement deed and upon such representation, the 2nd respondent shall register the same forthwith, if the same is otherwise in order.

8. With the above direction, the writ petition is disposed of. No costs.

24.02.2026

NCC : Yes/No

Index : Yes/No

RR



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TO

1. The District Registrar,
Department of Registration,
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2. The Sub Registrar,,
Sub Registrars Office,
Valliyoore, Tirunelveli District..



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KRISHNAN RAMASAMY, J

RR

**ORDER
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