



WEB COPY

WP No. 16343 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 16343 of 2026

Dr.R.Rajini

..Petitioner(s)

Vs

1. The Inspector General of Registration
Office of the Inspector General of Registration,
Santhome,
Chennai 600 004

2. Sub Registrar Madhuranthagam
Office of the sub registrar madhuranthagam
Madhuranthagam,
Chenglapattu District

..Respondent(s)

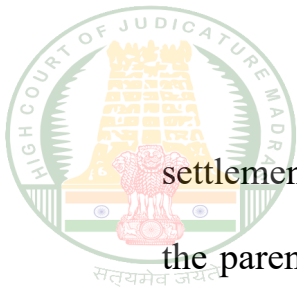
Call for the records relating to the Impugned cheque slip in Refusal No. Refusal Check Slip Bearing Refusal No. RFL / Madhuranthagam/ 14 / 2026 on 16.02.2026 and quash the same as illegal and ultra virus and consequently direct the Respondent registered and release the settlement Deed dated 10.02.2026 which is presented by the petitioner to the 2nd respondent for registration 16.02.2026.

For Petitioner(s): Mr.A.Palaniappan

For Respondent(s): Mr.U.Baranidharan,SGP

Order

This writ petition has been filed, challenging the impugned refusal check slip dated 16.02.2026 issued by the second respondent, refusing to register the



settlement Deed, presented by the petitioner for registration on the ground that the parent document produced by the petitioner is an un-registered Will and is not probated.

2. There is no legal requirement for a Will to be registered. The property is also situated in Madurantagam and therefore, a probate is also not required.

3. The petitioner has challenged the impugned refusal check slip on the ground that by total non-application of mind to the settled legal position that a Will need not be registered and probated. The second respondent has issued the impugned refusal check slip. The petitioner has also challenged the impugned refusal check slip on the ground of violation of the principles of natural justice as no opportunity of hearing was granted to the petitioner prior to the issuance of the impugned refusal check slip.

4. Mr. U. Baranidharan, learned Special Government Pleader accepts notice on behalf of the respondents.

5. Admittedly, the petitioner was not afforded an opportunity of hearing by the second respondent before issuing the impugned refusal check slip dated 16.02.2026. The contentions of the petitioner as raised in this writ petition have not been considered by the second respondent while issuing the impugned



refusal check slip dated 16.02.2026. The supporting documents produced by the petitioner have also not been considered. Being a non-speaking order and an order passed in violation of the principles of natural justice, this Court is of the considered view that the impugned refusal check slip dated 16.02.2026 issued by the second respondent has to be quashed and the matter has to be remanded back to the second respondent for fresh consideration, on merits and in accordance with law.

6. Accordingly, this writ petition is disposed of and the impugned refusal check slip dated 16.02.2026 issued by the second respondent is quashed and the matter is remanded back to the second respondent for fresh consideration, on merits and in accordance with law. The petitioner shall submit a written explanation along with the supporting documents to the second respondent stating as to why there is no legal impediment for the second respondent to register the settlement Deed, presented by the petitioner for registration, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said written explanation along with the supporting documents within the stipulated time from the petitioner, the second respondent, after giving due consideration to the written explanation submitted by the petitioner and the supporting documents produced by the petitioner, shall take a final decision as to whether the settlement deed presented by the petitioner for registration can be registered or not, within a period of 3 weeks thereafter. In case the second

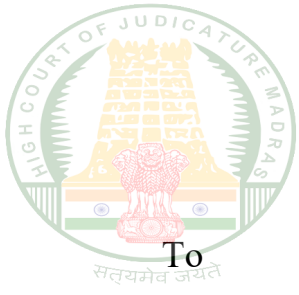


respondent decides to refuse registration of the settlement Deed, the second respondent shall pass a speaking order, after giving due consideration to the written explanation submitted by the petitioner as well as the supporting documents produced by her. No costs.

27-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VGA



To

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ABDUL QUDDHOSE J.

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