



WEB COPY



W.P.No.13058 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.13058 of 2026

P.Matharayan

... Petitioner

Vs.

The Sub Registrar,
Namagiripettai,
Namakkal District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for records of the impugned Refusal Check Slip dated 17.02.2026 in RFL/Namagiripettai/18/2026 made by the respondent quash the same as illegal, arbitrary and violative of Art. 300 A of the Constitution and consequently direct the respondent to entertain and register the settlement deed dated 17.02.2026.

For Petitioner : Mr.S.Ranjith Kumaran

For Respondent : Mr.U.Baranidharan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip dated 17.02.2026 issued by the respondent refusing to register the settlement deed dated 17.02.2026 presented by the petitioner for registration on



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the ground that the parent document produced by the petitioner is an unregistered will.

2. The petitioner categorically contends before this Court that by virtue of the will, which is the parent document, the petitioner became the absolute owner of the property, which is the subject matter of the settlement deed, dated 17.02.2026 presented by the petitioner for registration. The petitioner has also produced the patta standing in the joint names of the legal heirs of the deceased Pachamuthu Udayar, the petitioner's father, who had executed a will, in which the petitioner is the beneficiary of the property.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of the respondent.

4. The law is now well settled that there is no requirement for registration of a will. The property is situated at Namagiripettai and there is also no requirement for obtaining probate of the will in respect of the property located there. Since the patta standing in the joint names of the legal heirs of Pachamuthu Udayar has been produced by the petitioner and since the said Pachamuthu Udayar is the person who has executed the will, in which the



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petitioner is a beneficiary of the property, the respondent ought to have registered the document presented by the petitioner for registration, if the same was otherwise in order. However, the respondent has, arbitrarily, by total non-application of mind to the settled law that there is no legal requirement for registration of wills, has refused to register the settlement deed, dated 17.02.2026 presented by the petitioner for registration. In view of the settled law, the impugned refusal check slip dated 17.02.2026 issued by the respondent has to be quashed and this writ petition has to be allowed.

5. Accordingly, the impugned refusal check slip, dated 17.02.2026 issued by the respondent is hereby quashed and this Writ Petition is allowed by directing the respondent to register the settlement deed, dated 17.02.2026 presented by the petitioner for registration, if it is otherwise in order, subject to payment of requisite stamp duty and registration fees, within a period of two (2) weeks from the date of receipt of a copy of this order. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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ABDUL QUDDHOSE, J.

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To

The Sub Registrar,
Namagiripettai,
Namakkal District.

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