



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 24914 of 2026

K.Baskaran
s/O.Kuppusamy
No.240, Thammannan Road
Veeran Nilam
Salem 636 009

..Petitioner(s)

Vs

The Sub Registrar
RFL/2 Joint Sub Registrar office
Dharmapuri

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Certiorarified Mandamus calling for the records connected with the impugned order passed by the respondent dated 16.6.2026 in refusal check slip in RFL/No.2 Joint Sub Registrar Dharmapuri /65/2026 and quash the same and consequently direct the respondent to register the petitioners settlement Deed presented on 16.6.2026 and pass

For Petitioner(s): Mr.Franckelin.S

For Respondent(s): Mr.DOMINIC S.DAVID, Government Counsel

Order

This Writ Petition has been filed challenging the impugned refusal check slip and seeking a further direction to the respondent to register the petitioner's Settlement Deed presented on 16.06.2026.



2. The learned counsel for the petitioner submitted that the subject property is situated in Dharmapuri District and Taluk, Papinaickanahalli Village, in S.F. No. 127/2A1A1A1, measuring an extent of 1,200 sq. ft. The said property originally belonged to the petitioner's father, who had bequeathed it, along with other properties, vide an unregistered Will dated 11.05.2017. Based on the Will, following the demise of his father, the petitioner has been in complete possession and enjoyment of the property. On the strength of the said Will, the petitioner executed a Settlement Deed in favour of his daughter and presented it for registration. However, the respondent, vide the impugned order dated 16.06.2026, refused to register the Settlement Deed on the ground that the Will submitted by the petitioner is unregistered. Challenging the said impugned order, the present Writ Petition has been filed.

3. The learned Government Counsel appearing for the respondent submitted that if the document is re-presented, the respondent will conduct an enquiry by issuing notice to the other legal heirs and thereafter register the same in accordance with law.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, this Court is of the view that the rejection of the registration merely on the ground that the Will is unregistered, as submitted by the learned Government Counsel, is improper.



The respondent can very well conduct an enquiry with the siblings of the petitioner and any other rightful owners or legal heirs entitled to a share after the demise of the petitioner's father. Therefore, the impugned order is liable to be quashed.

6. In view of the above, the impugned order passed by the respondent dated 16.06.2026 is quashed, and the petitioner is directed to re-present the Settlement Deed for registration. Upon receipt of the same, the respondent is directed to register the Settlement Deed in accordance with law, after issuing due notice to all the parties concerned. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition stands disposed of with the above directions. No costs.

03-07-2026

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

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to
The Sub Registrar
RFL/2 Joint Sub Registrar office
Dharmapuri



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KRISHNAN RAMASAMY J.

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