



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 27083 of 2026

and WMP No.29642 of 2026

S.Rajani
C/o.Srinivas,
Ambur, Saminathapuram,
Palur, Po Palur,
Tirupathur District-635 804

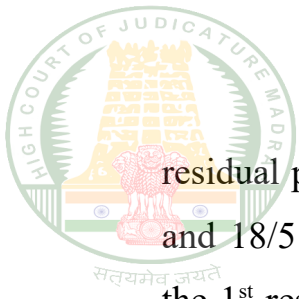
..Petitioner(s)

Vs

1. The Thasildar
Taluk office Campus,
Krishnagiri Road,
Tirupathur District.
2. The Sub Registrar
The Sub Registrar office
Odugathur,
Tirupathur District.

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned check slip in Refusal No.RFL/ Odugathur/ 4/ 2026 by the 2nd respondent dated 26.02.2026 and quash the same as illegal and consequently direct the 1st respondent to issue a separate patta in respect of the



residual property measuring acre 0.34 cents situated in New Survey Nos.18/4B and 18/5 at palur village, Ambur Taluk, Tirupathur District and further direct the 1st respondent to register and release the Settlement deed dated 26.02.2026 submitted under temporary pre-registration number TP/ 255074922/ 2026 within a time stipulated by this Court.

For Petitioner(s): Ms.L.Meenashi

For Respondent(s): Mr.C.Prabakaran

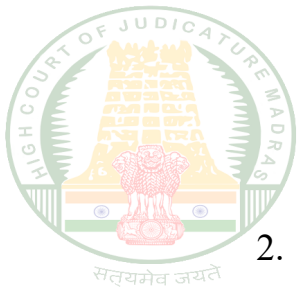
Government Counsel for R1

Mr.M.Roshan Atiq

Government Counsel for R2

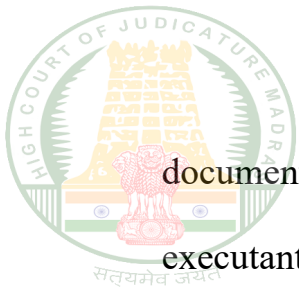
ORDER

The present Writ Petition has been filed Certiorarified Mandamus calling for the records relating to the impugned check slip in Refusal No.RFL/ Odugathur/ 4/ 2026 by the 2nd respondent dated 26.02.2026 and quash the same as illegal and consequently direct the 1st respondent to issue a separate patta in respect of the residual property measuring acre 0.34 cents situated in New Survey Nos.18/4B and 18/5 at palur village, Ambur Taluk, Tirupathur District and further direct the 1st respondent to register and release the Settlement deed dated 26.02.2026 submitted under temporary pre-registration number TP/255074922/ 2026 within a time stipulated by this Court.



2. The learned counsel for the petitioner submitted that the petitioner's late father, Srinivasalu Naidu, purchased agricultural lands measuring 3.46 acres in Palur Village under registered sale deeds dated 04.01.1978. Upon his demise, the property devolved upon the petitioner and the other legal heirs. After alienation of 2.20 acres and partition of 0.92 acres, the remaining extent of 0.34 acres in New Survey Nos. 18/4B and 18/5 continued to be jointly owned by the legal heirs.

3. The learned counsel for the petitioner submitted that the petitioner's late father had purchased the subject property under registered sale deeds. Upon his demise, the property devolved upon the petitioner's mother, in whose favour the patta was duly mutated. After the demise of the petitioner's mother, the property devolved upon all her legal heirs by succession. Thereafter, all the legal heirs jointly executed a Settlement Deed in favour of the petitioner and presented the same for registration on 26.02.2026. However, the 2nd respondent refused registration by issuing Refusal Check Slip No. RFL/Odugathur/4/2026 dated 26.02.2026 solely on the ground that the patta did not stand in the names of the executants. It was contended that the petitioner's title is established through the registered parent documents and lawful succession and that, in the absence of any rival claim or dispute regarding title, the refusal to register the



document on the ground of non-production of patta in the names of the executants is arbitrary, illegal, and wholly unsustainable in law. Aggrieved by the said refusal, the petitioner has filed the present Writ Petition.

4. The learned Government Counsel appearing for the 2nd respondent submitted that the patta stands in the name of the petitioner's deceased mother. He, however, fairly submitted that if the petitioner produces the legal heirship certificate of the deceased pattadar, the Settlement Deed can be registered in accordance with law.

5. This Court has considered the rival submissions. Admittedly, the patta stood in the name of the petitioner's mother. Upon her demise, the property devolved upon her legal heirs by operation of law. All the legal heirs have jointly executed the Settlement Deed in favour of the petitioner. In such circumstances, the mere fact that the patta continues to stand in the name of the deceased mother cannot constitute a valid ground for refusing registration of the document. Once the legal heirship certificate is produced establishing the succession to the estate of the deceased pattadar, there remains no legal impediment for the Sub-Registrar to entertain and register the document. The refusal to register the document on the ground that the patta stands in the name



of the petitioner's mother is legally unsustainable. By adjudicating upon the title of the property, the Sub-Registrar has exceeded his statutory jurisdiction and arrogated to himself the powers of a Civil Court, which is completely impermissible in law. The Registering Authority has acted far beyond the scope of the powers conferred upon him under the Registration Act.

6. In view of the above observations, the impugned Refusal Check Slip dated 26.02.2026 is set aside. The petitioner is directed to re-present the Settlement Deed along with the legal heirship certificate of the deceased mother. On such re-presentation, the 2nd respondent shall register the document, if it is otherwise in order within a period of 48 hours from the date of such presentation.

7. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

17-07-2026

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

Asi



To

1. The Tasildhar
Taluk office Campus,
Krishnagiri Road,
Tirupathur District.
2. The Sub Registrar
The Sub Registrar office
Odugathur,
Tirupathur District.

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KRISHNAN RAMASAMY, J.

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