



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 30911 of 2026

C. Palanisamy
S/o. Late Chinnandi,
Melchinnagoundenpatti,
Tharamangalam -636 502
Omalur Taluk,
Salem District.

..Petitioner(s)

Vs

The Sub Registrar
Tharamangalam SRO,
Salem District

..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 relating to the impugned Check Slip dated 30.06.2026 made in RFL/Tharamangalam/14/2026 passed by the respondent, Quash the same and consequently to direct the Respondent to register the Settlement Deed dated 29.06.2026 executed by the petitioner in favour of his Son.P. Manojkumar, in respect of 5 3/4 cents comprised in SF No.257/4-I-2A, Tharamangalam Village, Omalur Taluk, Salem District.

For Petitioner(s):

Mr.D.Keerthi Rajan for Mr. N.Manoharan

For Respondent(s):

Ms.Anu Ganesan, Additional Government Pleader



Order

This Writ Petition has been filed against impugned Check Slip dated 30.06.2026 passed by the respondent, whereby it was refused to register the Settlement Deed executed by the petitioner in favour of his Son.

2. The learned counsel appearing for the petitioner submitted that the ancestral land measuring 60½ cents in S.F. No. 257/4 belonged to the petitioner's father. He partitioned the said property among his sons, including the petitioner, through a Partition Deed dated 22.06.1972, and retained 5¾ cents as his own share. During his lifetime, he executed a Will dated 10.02.2025 in favour of the petitioner, bequeathing the subject property measuring 5¾ cents. Following the demise of the petitioner's father, the petitioner became the absolute owner of the subject property and has been in continuous possession and enjoyment of the same. While things stood thus, the petitioner executed a Settlement Deed dated 29.06.2026 in respect of the subject property in favour of his son and presented it for registration. However, the respondent issued the impugned Refusal Check Slip dated 30.06.2026, refusing to register the Settlement Deed on the ground that the Will dated 10.02.2025 was not proved. Aggrieved by the impugned order, the petitioner has approached this Court



3. The learned Additional Government Pleader appearing for the respondent submitted that since the above said Will is unregistered, the title to the property is unclear, and hence, the respondent refused to register the Settlement Deed. However, she further submitted that if the document is re-presented, the respondent will 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 registration merely on the ground that the Will is unregistered, as submitted by the learned Additional Government Pleader, is improper. The respondent can very well conduct an enquiry into the entitlement of the petitioner and further, there is no dispute from third parties regarding the title of the property. Therefore, the impugned order is liable to be quashed.

6. In view of the above, the impugned order passed by the respondent dated 30.06.2026 is quashed, and the petitioner is directed to re-present the Settlement Deed dated 29.06.2026 for registration. Upon receipt of the same, the respondent is directed to register the Settlement Deed forthwith, as the registration of a Will is not mandatory. Furthermore, the petitioner, being the sole beneficiary of the Will, has voluntarily chosen to settle the property in



favour of his son; therefore, there is no impediment for the respondent to register the Settlement Deed.

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

06-08-2026

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

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To
The Sub Registrar
Tharamangalam SRO,
Salem District



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KRISHNAN RAMASAMY J.

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