



WEB COPY

W.P. No. 31185 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM:

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

W.P. No. 31185 of 2026

D.Praveen

..Petitioner

Vs

The Sub Registrar
No.2, Sub-Registrar Office
Dharmapuri District

..Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records relating to the order made in Refusal Check slip *vide* refusal No.RFL/2 number Sub Registrar, Dharmapuri/83/2026 dated 08.07.2026 passed by the respondent, quash the same as illegal and arbitrary and consequently, direct the respondent to register the sale deed dated 08.07.2026.

For Petitioner
For Respondent

Mr. P.M.Jayachandran
Mr. V. Tamizhanban
Government Advocate

ORDER

This writ petition has been filed challenging the refusal check slip *vide* refusal No. RFL/2 number Sub Registrar, Dharmapuri / 83 / 2026 dated 08.07.2026 passed by the respondent and for a direction to the respondent to register the sale deed dated 08.07.2026.

2. The learned counsel for the petitioner submitted that the petitioner's father Durairaj who was the owner of the property measuring 2,475



sq. ft. in Survey No.668, Kadagathur, Dharmapuri, executed an unregistered will in favour of the petitioner's mother Kanchana on 01.01.2026; after the demise of his father, his mother who became the absolute owner of the said property, executed a sale deed in favour of the petitioner on 06.07.2026, which, when presented for registration before the respondent, was refused to be registered *vide* refusal check slip dated 08.07.2026 on the ground that the will executed by the petitioner's father in favour of the petitioner's mother was an unregistered one and that the patta for the subject property stands in the name of the petitioner's father's vendor; challenging the said refusal check slip and for a direction to register the sale deed dated 08.07.2026, this writ petition has been filed.

3. Mr. P.M. Jayachandran, learned counsel for the petitioner, submitted that as per Rule 55 of the Registration Rules, it is not the duty of the respondent to go into the validity of the document presented to him for registration and due to the sudden demise of the petitioner's father, the patta could not be changed in the name of his father and on these grounds, the impugned refusal check slip is liable to be quashed.

4. Mr. V. Tamizhanban, learned Government Advocate accepting notice for the respondent, fairly endorsed the aforesaid submissions of the learned counsel for the petitioner.



5. Considering the submission of the learned Counsel for the petitioner and the learned Government Advocate for the respondent and also the fact that it is not mandatory that a will is to be registered and the patta is to be mutated in the name of the petitioner. When, such being the case, refusing to register a document citing the reason that the will is not registered and that patta stands in the name of the previous vendor of the petitioner, the respondent has passed the impugned refusal check slip dated 08.07.2026 which is liable to be quashed. Accordingly, the impugned refusal check slip dated 08.07.2026 is quashed. This Court directs the petitioner to re-present the sale deed dated 08.07.2026 forthwith. Upon re-presentation of such documents, the respondent is directed to register the same within a period of four week thereafter.

6. This writ petition stands allowed with the above direction. No costs.

07-08-2026

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

SRM

To

The Sub Registrar
No.2, Sub Registrar Office
Dharmapuri District



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KRISHNAN RAMASAMY, J.

SRM

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