



WEB COPY



W.P.No.13829 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.13829 of 2024

M.Santhosh Kumar

.. Petitioner

Vs

1.The District Registrar
Coimbatore

2.The Sub Registrar
Mettupalayam Sub Registrar Office
Mettupalayam, Coimbatore

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating with the impugned refusal check slip dated 18.01.2024 in RFL/Mettupalayam/4/2024 of the 2nd respondent and quash the same as illegal and consequently direct the 2nd respondent to register the settlement deed dated 18.01.2024 of the petitioner in respect of the properties in S.No.126/1 and 125/2, Pellathi Village, Mettupalayam Taluk, Coimbatore.

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.P.Anandha Kumar
Government Advocate



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ORDER

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2. Challenging the impugned Refusal Check Slip dated 18.01.2024 of the 2nd respondent, this writ petition has been filed.

3. Heard learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and perused the materials available on record.

4. When the petitioner presented a Settlement Deed dated 18.01.2024 for registration, the same was refused to be registered by the 2nd respondent, on the ground that the parent document *i.e.*, the will has not been registered, which only shows non-application of mind on the part of the 2nd respondent, because, the registration of a will is only optional and not mandatory. When such being the position, the refusal to register the subsequent document *i.e.*, the Settlement Deed, is nothing but perverse. Hence, the impugned order passed by the 2nd respondent is set aside and the 2nd respondent is directed to register the Settlement Deed of



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the petitioner, within a week's time from the date of receipt of a copy of this order.

With the above direction, this writ petition is allowed. No costs.

07.06.2024

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Index : Yes/No

Neutral Citation : Yes/No

To

1.The District Registrar

Coimbatore

2.The Sub Registrar

Mettupalayam Sub Registrar Office

Mettupalayam, Coimbatore



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N.SATHISH KUMAR, J.

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