



WEB COPY



WP.No.35198 of 2024

In the High Court of Judicature at Madras

Dated : 21.11.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35198 of 2024

M.Kathiresan

...Petitioner

Vs

1.The Inspector General of
Registration, Office of the
Inspector General of
Registration, Santhome
High Road, Chennai.

2.The District Registrar,
Office of the District
Registrar, Erode District,
Erode.

3.The Joint Sub-Registrar No.1,
Sub-Registrar Office,
Gobichettipalayam,
Erode District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned check slip in RFL/1 En Joint Sub-Registrar Gobichettipalayam/13/2024 dated 07.11.2024 issued by the third respondent, quash the same as illegal and consequently direct the third respondent to accept and register the settlement deed document dated 05.11.2024 presented by the petitioner.



WP.No.35198 of 2024

For Petitioner : Mr.S.Sengodi
For Respondents : Mr.M.Shahjahan, SGP

WEB COPY

ORDER

The very premise, on which, the impugned refusal slip dated 07.11.2024 issued by the third respondent, is erroneous.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The petitioner had submitted a settlement deed dated 05.11.2024, in and by which, he settled the properties obtained by him under a Will dated 18.5.2016 in favour of his wife. When the said document was presented for registration, the third respondent refused to register the document on the ground that the Will dated 18.5.2016 had not been registered.

4. The third respondent has totally failed to take note of the fact that a Will is not compulsorily registerable under the Indian Registration Act and the ground of refusal is without any basis.

5. Accordingly, the writ petition is allowed, the impugned refusal check slip is quashed and the third respondent is directed to register



WP.No.35198 of 2024

the document presented by the petitioner within a period of two weeks from the date of receipt of its representation. No costs.

21.11.2024

To

- 1.The Inspector General of
Registration, Office of the
Inspector General of
Registration, Santhome
High Road, Chennai.
- 2.The District Registrar,
Office of the District
Registrar, Erode District,
Erode.
- 3.The Joint Sub-Registrar No.1,
Sub-Registrar Office,
Gobichettipalayam,
Erode District.

RS



WEB COPY



WP.No.35198 of 2024

P.T.ASHA,J

RS

WP.No.35198 of 2024

21.11.2024