



W.P (MD).No.27098 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2024

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.27098 of 2024

M.Kaleeswari

... Petitioner

Vs.

1.The Inspector General of Registration,  
Registration Department,  
Santhome, Chennai.

2.The District Registrar (Administration),  
Cutchery Road,  
Virudhunagar District.

3.The Sub-Registrar,  
Panthalkudi,  
Virudhunagar District.

4.Perumalakkal

5.Savithri @ Valliammal

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal check slip passed by the third respondent in RFL/பந்தல்குடி/6/2024 dated 04.10.2024 and quash the same as illegal and consequently direct the respondent No.3 to register the Gift Settlement deed presented by the petitioner on 04.10.2024 within time stipulated by this Court.



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**W.P (MD).No.27098 of 2024**

For Petitioner : Mr.K.Dinesh  
For R1 to R3 : Mr.S.P.Maharajan  
Special Government Pleader

### **ORDER**

This writ petition has been filed challenging the refusal check slip issued by the third respondent, dated 04.10.2024 thereby, refused to register the settlement deed which was presented for registration by the petitioner on the ground that the petitioner failed to produce the death certificate of the mother-in-law and the legal heirship certificates.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The petitioner's husband family owned several properties. After demise of the petitioner's father-in-law, the petitioner's mother-in-law had executed several sale deeds in favour of the third parties. The remaining land comprised in Survey No.124/1 and 145/3 situated at Appyanakanpatti Village, Virudhunagar District under patta no.664 stands in the name of the petitioner's



**W.P (MD).No.27098 of 2024**

husband. Therefore, the petitioner's husband had settled the said properties in favour of the petitioner by settlement deed and the same was presented for registration on 04.10.2024 to the third respondent. The third respondent has refused to register the same on the ground that the petitioner did not produce the death certificate of her mother-in-law and legal heirship certificates.

5. Admittedly, the said properties stand in the name of the petitioner's husband under patta No.664. No documents stand in the name of the petitioner's mother-in-law. Further, the respondents 4 & 5, who are sister-in-law of the petitioner, have no objection to register the settlement deed in favour of the petitioner executed by the petitioner's husband. If at all any properties stand in the name of the petitioner's mother-in-law after demise of her mother-in-law, the registering authority can ask for death certificate and legal heirship certificate of the title holder. Admittedly, the properties which is settled in favour of the petitioner stands in the name of the petitioner's husband under patta No.664.

6. In view of the above, the impugned refusal check slip cannot be sustained and is liable to be quashed. Accordingly, the impugned refusal check slip dated 04.10.2024 is hereby quashed. The petitioner is directed to re-



**W.P (MD).No.27098 of 2024**

present the settlement deed for registration. On receipt of the same, the third respondent is directed to register the settlement deed presented by the petitioner and release the document forthwith.

7. Accordingly, this writ petition is allowed. No costs.

Internet : Yes  
Index : Yes/No  
Speaking/Non Speaking order  
am

**14.11.2024**

To

- 1.The Inspector General of Registration,  
Registration Department,  
Santhome, Chennai.
- 2.The District Registrar (Administration),  
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Virudhunagar District.
- 3.The Sub-Registrar,  
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**W.P (MD).No.27098 of 2024**

**G.K.ILANTHIRAIYAN, J.**

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**W.P (MD).No.27098 of 2024**

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