



Writ Petition No.15228 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.15228 of 2025

P.Vijayamani
W/o Palanysamy
Kuravankattuthottam, Anna Street,
Semmandapathi, E-chettipalayam
Post,Elathur Taluk, Erode District. -
638 458.

Petitioner

Vs

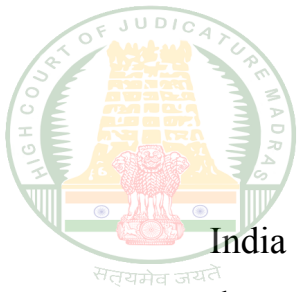
1. The Inspector General Of
Registration
O/o The Inspector General Of
Registration, Santhome High Road,
Chennai.

2.The District Registrar
O/o The District Registrar Office,
Erode District, Erode.

3.The Sub Registrar
Sub Registrar Office, Nambiyur,
Erode District.

Respondent(s)

Writ Petition filed under Article 226 of the Constitution of



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India seeking issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal check slip in RFL/Nambiyur/ 08/2025 dated 07.04.2025 issued by the 3rd respondent and quash the same as illegal and consequently, directing the 3rd respondent to accept and register the Settlement deed dated 04.04.2025 presented by the petitioner.

For Petitioner : Ms.S.Sengkodi
For Respondents : Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 07.04.2025 issued by the third respondent and for a consequential direction to the third respondent to register the gift-cum-settlement deed dated 04.04.2025 executed by the petitioner in favour of her son.

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

3. The impugned refusal check slip has been issued by the third respondent mainly on the ground that the Will that has been relied upon by the petitioner is an unregistered document. Hence, the third respondent has invoked Rule 55A of the Registration Rules.

4. The issue involved in the present case is squarely covered by



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the earlier order of this Court in W.P.No.16999 of 2020 dated 03.12.2020. This Court has categorically held that the Will is not a compulsorily registrable document. Therefore, the registering authority cannot refuse to register the document on the ground that the Will that is relied upon, to trace the title, is unregistered.

5. In the light of the above discussion, the impugned refusal check slip issued by the third respondent dated 07.04.2025 is hereby quashed and there shall be a direction to the third respondent to register the gift-cum-settlement deed dated 04.04.2025, if it is otherwise in order.

In the result, the Writ Petition is allowed. There shall be no order as to costs.

28.04.2025

Neutral Citation: Yes/No

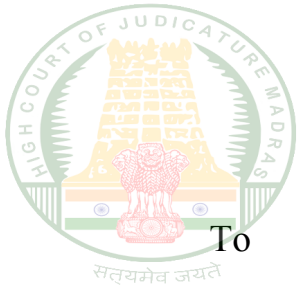
Index: Yes/no

Speaking Order/Non-Speaking Order

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N.ANAND VENKATESH, J

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To

WEB COPY

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