



W.P.No.27351 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.27351 of 2025

P.Muniyappan

... Petitioner

Vs.

1.The District Registrar, (Salem West),
No.313, 3rd Floor,
District Registration Office Campus,
Salem Collectorate Building,
Kottai Main Road,
Salem-636 001.

2.The Sub Registrar,
Magudanchavadi Sub-Registrar Office,
Sankari Taluk,
Salem District.

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the second respondent, S.R.O. Magudanchavadi, Salem District to Accept the Gift Settlement Deed dated 20.03.2025 presented for Registration vide Pre Registration Token Receipt No.TP/214160780/2025 by considering the petitioner's representation dated 21.03.2025 within a stipulated time fixed by this Court.



WEB COPY



W.P.No.27351 of 2025

For Petitioner(s) : Mr.N.Vijaya Basker
for M/s.Law Vision

For Respondent(s) : Mr.Abishek Murthy
Government Advocate
for R1 & R2

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of mandamus to direct the second respondent, S.R.O. Magudanchavadi, Salem District to Accept the Gift Settlement Deed dated 20.03.2025 presented for Registration vide Pre Registration Token Receipt No.TP/214160780/2025 by considering the petitioner's representation dated 21.03.2025 within a stipulated time fixed by this Court.

3. It is submitted by the learned counsel for the petitioner that petitioner's father executed a Will dated 03.06.2018 in favour of the petitioner for the property comprised in Survey No.82/1 measuring an extent of 2.09 1/2 acres out of 2.13 acres situated at Kandarakulamanickam Village, Sankari Taluk, Salem District.



W.P.No.27351 of 2025

WEB COPY

Thereafter, petitioner decided to execute a Gift Settlement deed in favour of his brother, Madhesh based on the Will dated 03.06.2018. Hence, the petitioner prepared a Gift settlement deed 20.03.2025 and presented for registration vide Application No.TP/214160780/2025 dated 21.03.2025. However, the second respondent returned the documents without any refusal order. Hence, the petitioner has filed the present writ petition.

4. At the outset, it was submitted by the learned Government Advocate that it is not clear as to whether the petitioner had even presented Gift settlement deed 20.03.2025 before the second respondent. In any view, he would submit that if the petitioner presents the Gift settlement deed 20.03.2025 before the second respondent, the same would be registered, if it is otherwise in order. If, for any reason, the Sub Registrar is of the view that the registration ought to be refused, he would do so after assigning reasons, which was agreed to by the learned counsel for the petitioner.

5. In view thereof, it is open to the petitioner to present the Gift settlement deed 20.03.2025 before the second respondent. On such presentation, the second



W.P.No.27351 of 2025

WEB COPY

respondent shall register the Gift settlement deed, if it is otherwise in order, in accordance with law. If for any reason, the second respondent refuses to register the Gift settlement deed, he shall assign reasons in the refusal slip. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.

6. Accordingly, the writ petition stands disposed of. There shall be no order as to costs.

30.07.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mrn



W.P.No.27351 of 2025

To:

WEB COPY

- 1.The District Registrar, (Salem West),
No.313, 3rd Floor,
District Registration Office Campus,
Salem Collectorate Building,
Kottai Main Road,
Salem-636 001.
- 2.The Sub Registrar,
Magudanchavadi Sub-Registrar Office,
Sankari Taluk,
Salem District.



WEB COPY



W.P.No.27351 of 2025

MOHAMMED SHAFFIQ, J.

mrn

W.P. No.27351 of 2025

30.07.2025