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W.P.No.30583 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 22.08.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P.No.30583 of 2025**

V.Ravi

: Petitioner

Vs.

1.The Inspector General of Registration,  
No.100, Santhome High Road,  
Chennai.

2.The District Registrar,  
Tirupattur, Tirupattur District

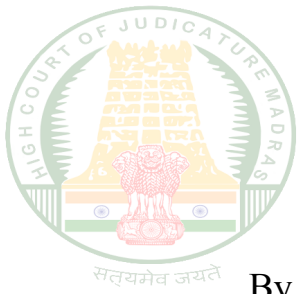
3.The Sub Registrar,  
Vaniyambadi, Tirupattur District : Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus to call for records pertaining to refusal check slip No.RFL/Vaniyambadi/21/2025 dated 20.06.2025 issued by respondent No.3 and to quash the same as illegal, incompetent and further direct to register the sale deed dated 20.06.2025 on its presentation by the petitioner.

For Petitioner : Mr.PA.Sudesh Kumar

For Respondents : Mr.U.Baranidharan,  
Special Government Pleader

**ORDER**



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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 challenging the refusal check slip dated 20.06.2025, wherein the sale deed 20.06.2025 was refused registration on the premise that title is traced on the basis of Will which has not been probated and that subsequent to probate a patta has to be obtained.

3. It is submitted by the learned counsel for petitioner that the above reasons are unsustainable and in this regard he would rely upon the decision of this Court, in W.P.No.16999 of 2020 dated 03.12.2020 wherein it has been held that probate is not required. The relevant portion of the order is extracted hereunder:

*"5. In the considered view of this Court, a Will does not get a special status by registering the same. Admittedly, it is a document which need not be registered and no law mandates such registration. The law on this issue is well settled and it has been held that just because the Will is registered, reliance cannot be placed on the same, unless it is proved in the manner indicated under the Evidence Act.*

*6. In the present case, the respondent has insisted for getting a probate with regard to the Will executed in favour of the petitioner. Insofar as the probate is concerned, the same becomes mandatory only when it attracts the provisions of Section 213 of the Indian*



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*Succession Act. The property in question is situated at Kancheepuram District and the Will has also been executed at Kancheepuram District and therefore, the Will in question does not fall under the requirements of Section 213 of the Indian Succession Act and it does not require a probate for the purpose of acting upon this Will"*

4. Insofar as insistence of patta subsequent to Will being probated, learned counsel for petitioner would rely upon a circular No.22482/C1/2022 dated 12.07.2024 to submit that insistence of patta or failure to produce the same cannot be a reason for refusing registration, wherein instructions have been issued that the registering officer shall not refuse to register only on the ground of non-furnishing of the original documents. The relevant portion of the Circular is extracted hereunder:

*"In the reference, first cited, Hon'ble High Court had directed the Inspector General of Registration to issue circular indicating the law declared by the Court in various verdicts. Accordingly this circular is issued on the basis of the various verdicts of Courts and also reiterating various circulars which have been already issued in this regard.*

*a) Vide Inspector General of Registration Circular No.58804/L1/2004 dated 8.11.2004 it has*



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*been already instructed that registering officers should not insist the registrants to produce Chitta, Adangal, Rental value certificate etc. Moreover, in the said circular it was stated that if any violation is found, severe disciplinary action would be initiated against the registering officer."*

5. When this was pointed out, learned Special Government Pleader for the respondents would submit that if the sale deed dated 20.06.2025 is re-presented by the petitioner, the same would be registered, if it is otherwise in order, in the light of the decision of this court in W.P.No.16999 of 2020 dated 03.12.2020 and the instructions laid down in Circular No.22482/C1/2022, dated 12.07.2024. 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.

6. In the light of the above discussion, the impugned refusal slip issued by the third respondent dated 20.06.2025 is hereby set aside. It is open to the petitioner to re-present the sale deed dated 20.06.2025 and if any such sale deed is re-presented, third respondent shall register the sale deed, if it is otherwise in order,



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keeping in view decision of this court in W.P.No.16999 of 2020 dated 03.12.2020 and the instructions laid down in Circular No.22482/C1/2022, dated 12.07.2024. If for any reason, the third respondent refuses to register the sale deed, he shall assign reasons in the refusal slip.

7. In the result, this Writ Petition stands disposed of. There will be no order as to costs.

**22.08.2025**

Speaking (or) Non Speaking Order  
Neutral Citation: Yes/No  
mrn

To

1.The Inspector General of Registration,  
No.100, Santhome High Road,  
Chennai.

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2.The District Registrar,  
Tirupattur, Tirupattur District

3.The Sub Registrar,  
Vaniyambadi, Tirupattur District



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**MOHAMMED SHAFFIQ, J.**

(mrn)

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