



W.P.No.34360 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 12.09.2025

CORAM
THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.34360 of 2025
and W.M.P.No.38523 of 2025

C.Sarala

... Petitioner

Vs.

1.The Sub Registrar,
Walajah,
Walajapet, Ranipet District - 632 913

2.The Tahsildar,
Walajapet Taluk,
Ranipet District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records of the first respondent in its order dated 25.03.2025, Proceedings Order No.96/2025 refusing to register the Settlement Deed dated 20.01.2025, P.2/2025 executed by the petitioner in favour of her two sons, quash the same and consequently direct the first respondent to register the settlement Deed.

For Petitioner : M/s.Bhargavi Sundar Rajan



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For Respondent 1 : Mr.Abishek Murthy,
Government Advocate

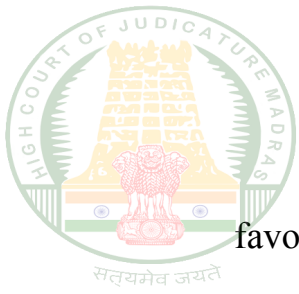
For Respondent 2 : Mr.C.Jayaprakash,
Government Advocate

ORDER

The relief sought for in this writ petition is to call for the records of the first respondent in its order dated 25.03.2025, Proceedings Order No.96/2025 refusing to register the Settlement Deed dated 20.01.2025, P.2/2025 executed by the petitioner in favour of her two sons, quash the same and consequently direct the first respondent to register the settlement Deed.

2. Mr.Abishek Murthy, learned Government Advocate takes notice on behalf of the first respondent. Mr.C.Jayaprakash, learned Government Advocate takes notice for the second respondent. By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

3. Learned counsel for the petitioner submitted that in the present case, the petitioner executed a settlement deed dated 20.01.2025 in



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favour of her two sons, in respect of the property comprised in Old Door No.40/170, Trunk Road, comprised in T.SNo.170, Ward No.1, Block No.5 of Walaja Town, measuring 561 sq.mtr, which was originally belongs to her brother, who was died intestate on 26.02.2021. When the settlement deed was submitted before the first respondent for registration, the same was not registered and kept pending, citing the reasons that the petitioner is not the only legal heir and there are four other legal heirs, who are all entitled for share in the aforesaid property.

4. Learned counsel for the petitioner further submitted that the four other legal heirs are pre-deceased. Hence, the petitioner is the only person, who is entitled for the entire share in the capacity of Class-II legal heirs. However, without taking into consideration of this aspect, the first respondent, on non-application of mind, refused to register the settlement deed dated 20.01.2025.

5. Learned Government Advocate appearing for the first respondent submitted that since there were legal heirs for the four pre-deceased person, they are also entitled for share in the aforesaid property.



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Therefore, the first respondent refused to register the Settlement Deed dated 20.01.2025. However, he would submit that the petitioner supposed to have provided the reason on the aspect that, how she is the only legal heir and entitled for the aforesaid property in the category of Class-II legal heirs.

6. However, learned Government Advocate appearing for the first respondent would fairly submit that this Court may remit back the matter to the respondents for fresh consideration.

7. Heard the learned counsel on either side and perused the materials available on record.

8. Considering the submission made by the learned counsel on either side, this Court passes the following order:-

(i) The impugned order dated 25.03.2025 passed by the first respondent is set aside and the matter is remitted back to the respondents for fresh consideration and conduct an enquiry by giving due notice and opportunity of personal hearing to the petitioner as well as aggrieved



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persons, if any and thereafter take steps to register the documents.

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(ii) The aforesaid exercise has to be completed within a period of four weeks from the date of receipt of a copy of this order.

With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

12.09.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

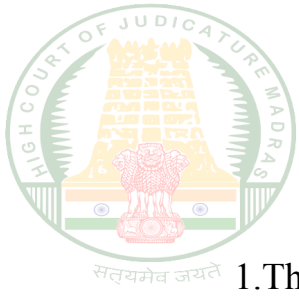
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KRISHNAN RAMASAMY.J.,

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To

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