



W.P.No.36036 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 22.09.2025

CORAM

THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.36036 of 2025

Nikitha

... Petitioner

Vs.

The Sub Registrar
Karimangalam Sro,
Karimangalam,
Dharmapuri 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 relating to the impugned Refusal Check slip in RFL/Karimangalam/206/2025 dated 29.8.2025 passed by the respondent to quash the same and consequently to direct the respondent to register the settlement deed dated 29.8.2025 executed by the petitioner in respect of the half share of the land measuring 2.25 3/4 acres comprised in S.Nos.517/1A1B, 517/1A2B and 518/1B, Karimangalam Village, Karimangalam Taluk, Dharmapuri District



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For Petitioner : Mr.R.T.Vishnu

For Respondent : Mr.P.Harish, GA

ORDER

This writ petition has been filed challenging the impugned refusal slip dated 29.08.2025 issued by the respondent.

2. Mr.P.Harish, learned Government Advocate, takes notice on behalf of the respondent.

3. By consent of the parties, the main writ petition is taken up for disposal at the admission stage itself.

4. The learned counsel for the petitioner would submit that in this case, initially, the subject property was purchased by petitioner's husband vide sale deed dated 04.09.2023. Subsequently, on 22.03.2024, he passed away leaving behind his wife (petitioner) and his mother and father as legal heirs. Since the subject property is self acquired by the



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deceased, the same was inherited to the Class-I legal heirs, i.e., petitioner (wife) and mother of the deceased. Thereafter, the petitioner executed a settlement deed in favour of her mother in respect of her half share in the subject properties and presented the same before the respondent. However, due to the erroneous inclusion of the father name of the deceased in the patta of the subject property, the respondent had rejected the registration of aforesaid settlement deed on the ground that that there are 3 persons mentioned in legal heir certificate and hence, the petitioner is not entitled to half share in the subject property.

5. Further, he would submit that father of the deceased will not come under the category of Class-I legal heir and hence, the petitioner is certainly entitled for half share in the subject property. However, without considering the same, the respondent had rejected the registration of settlement deed vide refusal slip dated 29.08.2025 and hence, he requests this Court to quash the same.



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6. In reply, the learned Government Advocate appearing for the respondent had confirmed the submissions made by the petitioner and hence, requests this Court to pass appropriate orders.

7. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent and also perused the materials available on record.

8. In the case on hand, the subject property was self acquired property of the petitioner's husband, who passed away on 22.03.2024 leaving behind his wife (petitioner) and his mother and father as legal heirs. After his demise, the said property was inherited to the Class-I legal heirs, i.e., petitioner (wife) and mother of the deceased and accordingly, the petitioner is entitled for half share of the subject property. Thereafter, the petitioner executed a settlement deed in favour of her mother in respect of her half share in the subject properties and presented the same before the respondent. However, due to the erroneous



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inclusion of the father name of the deceased in the patta of the subject property, the respondent had rejected the registration of aforesaid settlement deed on the ground that that there are 3 persons mentioned in legal heir certificate and hence, the petitioner is not entitled to half share in the subject property.

9. Normally, father of the deceased will not come under the category of Class-I legal heir. Only the mother and wife of the deceased are entitled for half share each under Section 8 of the Hindu Succession Act, 1956. When such being the case, the petitioner is certainly entitled for half share in the subject property. However, without considering the same, the respondent had erroneously rejected the registration of settlement deed vide refusal slip dated 29.08.2025, which is liable to be set aside.

10. In view of the above, this Court is inclined to allow this petition. Accordingly, this writ petition is allowed. The impugned refusal slip dated 29.08.2025 is hereby set aside. The respondent is directed to



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register the settlement deed dated 29.08.2025, if it is re-presented by the

petitioner. No cost.

22.09.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

nsa

To

The Sub Registrar
Karimangalam Sro,
Karimangalam,
Dharmapuri District



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KRISHNAN RAMASAMY.J.,

nsa

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