



W.P.No.36973 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated : 06.10.2025

CORAM
THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.36973 of 2025

A.Loganathan

... Petitioner

Vs.

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

2.The Sub Registrar,
Sub Registrar Office,
Thingalur,
Erode 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 to issue regular number of the registration in the petitioner settlement deed document No:P/Thingalur/66/2025, vide receipt No:3098/2025 dated 20.08.2025 and same was return the settlement deed to the petitioner.

For Petitioner : M/s.Sengkodi

For Respondents 1 & 2 : Mr.P.Harish,
Government Advocate



W.P.No.36973 of 2025

WEB COPY

ORDER

The relief sought for in this writ petition is to direct the second respondent to issue regular number of the registration in the petitioner settlement deed document No:P/Thingalur/66/2025, vide receipt No:3098/2025 dated 20.08.2025 and same was return the settlement deed to the petitioner.

2. Mr.P.Harish, learned Government Advocate takes notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

3. Learned counsel for the petitioner submitted that the petitioner's father executed an unregistered will dated 19.01.2011 in favour of the petitioner and his brother viz., Chandrasekar. Accordingly, A scheduled property R.Survey No.77/1 to the extent of Punjai acre 1.30 11/12 cents and house site was executed in favour of petitioner's brother and B scheduled property extended punjai acre R.Survey No:76/1, extended 1.44 ½ cent and house site property was executed in favour of the petitioner. Thereafter, the petitioner's father died on 12.02.2011. This

2/6



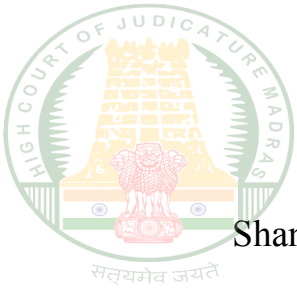
W.P.No.36973 of 2025

WEB COPY

being so, the petitioner decided to execute a settlement deed in favour of his son and to register the same before the second respondent.

3.1. Pursuant thereto, the petitioner submitted an online application along with requisite fee and the second respondent has also registered the document but not issued regular registration number and not returned the original documents. Under these circumstances, the second respondent issued a summon to the petitioner and called for enquiry on 08.09.2025 in regard to clarification of will, executed by petitioner's father and the petitioner was also appeared along with necessary documents. However, till date date, the petitioner's documents were not returned to the petitioner. Hence, the petitioner has come forward with the present writ petition.

4. After getting instruction, learned Government Advocate appearing for the respondents would submit that according to the petitioner, he has settling his share of property in favour of his son, by way of settlement deed. However, at the time of registration of said settlement deed, the petitioner's sisters viz., Kalavathi, Santhi and



W.P.No.36973 of 2025

WEB COPY

Shanmugapriya submitted an objection petition to register the settlement deed in favour of petitioner's son, since their brothers forged the will as if their father executed in favour of their brothers i.e., the petitioner and his brother. Therefore, in this regard, an enquiry was also conducted and appropriate orders were passed on 30.09.2025. In the event the petitioner is aggrieved over the said order, he has to approach the Civil Court or file an appeal under Section 72 of the Registration Act, 1908, by challenging the order dated 30.09.2025.

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

6. The present writ petition is filed to direct the second respondent to issue regular number of the registration in the petitioner Settlement deed document dated 20.08.2025, since the same was kept pending for the reason that an objection petition was submitted by the petitioner's sisters as if the petitioner and his brother created a forged will. Accordingly, an enquiry was conducted and appropriate orders was also passed on 30.09.2025 by rejecting the registration of the settlement deed.



W.P.No.36973 of 2025

WEB COPY

7. As rightly contended by the learned Government Advocate appearing for the respondents, if at all the petitioner is aggrieved, the right course available to him is to file a Civil Suit and establish his right before the Court below, by proving that the will executed by his father is a genuine one. Therefore, I do not find any merits in this case and this Court is not inclined to entertain the present writ petition.

Accordingly, this writ petition stands dismissed. No costs.

06.10.2025

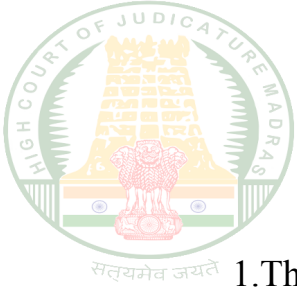
Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
vm

KRISHNAN RAMASAMY.J.,

vm

To:

5/6



W.P.No.36973 of 2025

WEB COPY

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

2.The Sub Registrar,
Sub Registrar Office,
Thingalur,
Erode District.

W.P.No.36973 of 2025

06.10.2025