



WEB COPY

WP No. 47413 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-12-2025

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 47413 of 2025

R.Ramasamy,
S/o.Ramasamy, Residing at Door No. 6/90,
2nd Street, Karuvampalayam,
Tiruppur South Circle,
Tiruppur 641604, Tiruppur District.

..Petitioner

Vs

The Sub-Registrar,
Office of The Sub-Registrar, Tiruppur Joint-1,
Tiruppur District.

..Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the Refusal Check slip dated 20.11.2025, quash the same as arbitrary, illegal, and without jurisdiction, and consequently direct the respondent to register the settlement deed executed by the petitioner in favour of petitioner's



wife Mrs.Sivagami, in respect of the property situated at Survey No.51, Shastri Nagar, Thottipalayam Village, Tiruppur District, if it is otherwise in order.

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For Petitioner: Mr.B.Balaji

For Respondent: Mr.U.Baranidharan, SGP

ORDER

By relying on WILL dated 09.01.2009 executed by the petitioner's father, Ramasamy, in his favour, the petitioner had executed a settlement deed in favour of his wife Mrs.Sivagami. Upon presentation thereof for registration, the request for registration was declined under the impugned refusal check slip.

2. Learned counsel for the petitioner submits that the petitioner had filed O.S.No.307 of 2017 against one Kathireshan and Subbulakshmi and that the suit was decreed as prayed for. In spite of the same, he submits that the request for registration was refused by stating that the details of the second defendant in the suit have not been provided and on the ground that it is not clear as to whether it was the last WILL of the testator.



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3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for the sole respondent. He submits that the civil suit appears to have been decreed in favour of the petitioner.

4. On perusal of the WILL, the said WILL has been executed in Tiruppur and the relevant property is also not located in any Presidency town. Therefore, it is not necessary to obtain probate or letters of administration, as the case may be. The civil suit appears to have been filed by the petitioner against two third party agreement holders and such suit has been decreed as prayed for. In these circumstances, the reasons assigned for refusal are untenable. Consequently, the impugned refusal check slip is set aside. The petitioner is permitted to re-present the settlement deed for registration and necessary measures in relation to the registration thereof shall be taken by the Sub-Registrar, Tiruppur within two weeks from the date of the re-presentation of the settlement deed, subject to the fulfilment of other requirements in this regard.



5. The writ petition is disposed of on the above terms. There will be no order as to costs.

09-12-2025

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

The Sub-Registrar,

Office of The Sub-Registrar, Tiruppur Joint-1, Tiruppur District.



WEB COPY

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SENTHILKUMAR RAMAMOORTHY, J.

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WEB COPY

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