



W.P.(MD)No.2400 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.2400 of 2025

and

W.M.P.(MD)No.1693 of 2025

1. Swamykannu
2. M.Balasubramanian
3. S.Manicka Vinayagam
4. Senthilkumar
5. Suresh @ Subbaiah

... Petitioners

/Vs./

The Sub Registrar
Office of the Sub Registrar,
Thiruverumbur Sub Registration Office,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Refusal Check Slip issued by the respondent vide Refusal Check Slip vide No. RFL/Thiruverumbur/416/2024 on 21.12.2024 and quash the same and consequently directing the respondent to register the sale deed presented by the petitioner within a time stipulated by this Court.



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For Petitioners : Mr.B.Jameel Arasu

For Respondent : Mr.D.Sadiq Raja

Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the refusal check slip 21.12.2024 issued by the first respondent, thereby, refused to register the sale deed, which was presented by the petitioner for registration on the ground that the petitioner failed to produce any revenue document in respect of the subject property.

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

3. The property comprised in S.No.95 situated at Thirumalaisamudhram Village, Trichy, was purchased by the first and second petitioners mother, viz., Thanapackiam and she was issued patta in patta No.1350. While she was alive, she executed a Will dated



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24.02.2008 vide document No.53/2008 in favour of the petitioners.

Thereafter, she died on 18.02.2009. On the strength of the Will, the petitioners got their share and intended to sell the same. Accordingly, the petitioners executed a sale deed in favour of the third party and the same, as per sale deed and presented the same for registration on 21.12.2024. However, the respondent refused to register the same.

4. Admittedly, after demise of the first and second petitioners mother, the Will has not been acted upon sofar. No revenue records mutated in favour of the petitioners, as per the shares allotted in respect of the subject property in the Will dated 24.02.2008. Therefore, the respondent rightly refused to register the same.

5. This Court finds no infirmity or illegality in the order passed by the respondent and the writ petition is devoid of merit and the same is liable to be dismissed.

6. Accordingly, this Writ Petition stands dismissed. However, the petitioners are at liberty to mutate the revenue records in favour of them,



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as per the Will dated 24.02.2008 and present the sale deed for registration. No costs. Consequently, connected Miscellaneous Petition is closed.

Internet : Yes/No
NCC : Yes / No
LS

28.01.2025

TO:-

The Sub Registrar
Office of the Sub Registrar,
Thiruverumbur Sub Registration Office,
Trichy District.



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G.K.ILANTHIRAIYAN, J.

LS

Order made in
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28.01.2025