



W.P.(MD)No.2936 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.01.2025**

CORAM:

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

W.P.(MD)No.2936 of 2025

Santhosh

... Petitioner

/Vs./

1. The District Registrar,
Palayamkottai Registration District,
Palayamkottai.

2. The Sub Registrar,
Nazareth Sub Registrar Office,
Tiruchendur Taluk,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records of the impugned Refusal Slip issued by the 2nd respondent in RFL/Nazareth/5/2025 dated 25.01.2025 and quash the same as illegal, and consequently direct him to register the sale deed executed by the petitioner vide sale deed dated 25.01.2025.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.S.P.Maharajan,

Spl. Government Pleader



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ORDER

This writ petition has been filed challenging the refusal check slip issued by the second respondent dated 25.01.2025 thereby refused to register the sale deed executed by the petitioner dated 25.01.2025 on the ground that no parent document and no separate patta has been produced by the petitioner in respect of the subject properties.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The subject properties were originally owned by the petitioner's father and he was issued joint patta. That apart, the said properties were purchased by the petitioner's father by the registered sale deeds vide Document No.1250/14 and 2386/15. While he was alive, he had executed a will dated 07.07.2021 and got registered vide Document No. 36/21. Subsequently, he died on 30.04.2022. Sofar, there is no mutation of revenue records in respect of the subject properties in favour of the petitioner. The will has to be acted upon by mutation of revenue records.



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4. Without even mutation of revenue records, the petitioner executed a sale deed in favour of a third party and the second respondent rightly refused to register the same. Therefore, this Court finds no infirmity or illegality in the impugned refusal check slip issued by the second respondent. After mutation of revenue records in the name of the petitioner on the strength of the will dated 07.07.2021, the petitioner is at liberty to represent the sale deed for registration and on receipt of the same, the second respondent is directed to register and release the same, if it is otherwise in order.

5. With the above observations, this writ petition is dismissed. No costs. There shall be no order as to costs.

31.01.2025

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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TO:-

1. The District Registrar,
Palayamkottai Registration District,
Palayamkottai.
2. The Sub Registrar,
Nazareth Sub Registrar Office,
Tiruchendur Taluk,
Thoothukudi District.

Order made in
W.P.(MD)No.2936 of 2025

Dated:
31.01.2025