



W.P.(MD)No.2994 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.2994 of 2025

1.Michel

2.Pani Merry

... Petitioners

/Vs./

The Sub Registrar,
Mukkudal Sub Registrar Office,
Mukkudal, Cheranmahadevi Taluk,
Tirunelveli District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the respondent in Refusal No. RFL/Mukkudal/2/2025 dated 06.01.2025 and quash the same and consequently directing the respondent to register the settlement deed document dated 03.01.2025 and return the same to the petitioner within the time fixed by this Court.

For Petitioners : Mr.T.Selvam

For Respondent : Mr.M.Sarangan

Addl. Government Pleader



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ORDER

This writ petition has been filed challenging the refusal check slip dated 06.01.2025 issued by the respondent thereby refused to register the settlement deed dated 03.01.2025 on the ground that the revenue records are not mutated in favour of the first petitioner on the basis of the will executed in his favour.

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

3. The property comprised in Old Natham S.No.238/1C, New Natham Re.S.No.238/1C24, situated at Mukkudal Village, Cheranmahadevi Taluk, Tirunelveli District, was owned by the first petitioner's father and he executed an unregistered will in favour of the first petitioner on 12.11.2010 in respect of the subject property. Thereafter, he died on 22.11.2010. On the strength of the will, the first petitioner had executed settlement deed in favour of the second petitioner on 03.01.2025 and presented the same for registration. However, the



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respondent refused to register the same on the ground that the first petitioner failed to mutate the revenue records on the basis of the will.

4. Admittedly, after demise of the first petitioner's father, the will has not been acted upon so far by mutation of revenue records. Though the will need not to be probated, since the subject property is situated outside the jurisdiction of Chennai Corporation, it has to be acted upon by mutation of revenue records in favour of the first petitioner. Therefore, this Court finds no infirmity or illegality in the impugned refusal check slip issued by the respondent. This writ petition is dismissed. However, the first petitioner is at liberty to represent the settlement deed for registration, after mutation of revenue records in his favour on the basis of the will dated 12.11.2010. There shall be no order as to costs.

31.01.2025
(2/2)

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

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TO:-

The Sub Registrar,
Mukkudal Sub Registrar Office,
Mukkudal, Cheranmahadevi Taluk,
Tirunelveli District.

Order made in
W.P.(MD)No.2994 of 2025
(2/2)

Dated:
31.01.2025