



W.P(MD)No.13860 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.13860 of 2024

Kunga K.V. Manjula

... Petitioner

Vs.

The Sub Registrar,

Paramakudi,

Ramanathapuram District.

...Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records of the Impugned Refusal Check Slip in RFL / Paramakudi / 14/2024 dated 06.06.2024 on the file of the respondent and to quash the same and further, to direct the respondent to receive and register the sale deed dated 17.04.2024 executed by one Laguduva S.Naganathan in favour of the petitioner.

For Petitioner : Mr.G. Prabhu Rajadurai

For Respondent : Mr.S. Saji Bino
Special Government Pleader

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the Impugned Refusal Check Slip in RFL / Paramakudi / 14/2024 dated 06.06.2024 on the file of the respondent and further,



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to direct the respondent to receive and register the sale deed dated 17.04.2024 executed by one Laguduva S.Naganathan in favour of the petitioner.

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2.Through the impugned order, the respondents have refused to register the sale deed for the reason the petitioner has not produced the patta standing in his name as well as the Will is not a registered Will.

3.The petitioner submitted that the property in Survey No. 331/3A1A1 situated in Venthoni Village, Paramakudi Taluk, admeasuring 1200 sq.ft originally belonged to one Boothan and his family members. The said Boothan executed a registered sale deed dated 12.10.1978 to one Laguduva Savithiri Ammal. The said Laguduva Savithiri Ammal executed a registered mortgage deed dated 27.11.1979, in favour of the Paramakudi Town Co-operative Housing Society Limited. The said Laguduva Savithiri Ammal subsequently executed an unregistered Will dated 07.12.2011 in favour of her son Laguduva S.Naganathan and she died on 08.02.2014 and then the Will came into force and the said Laguduva S.Naganathan became the owner of the property. The said Laguduva S.Naganathan redeemed the property by paying mortgage money to the society and the society has issued a receipt on 21.07.2023 and the same was registered in the office of the respondent. Subsequently, the said Laguduva S.Naganathan executed a sale deed in favour of the petitioner on 17.04.2024,



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which was presented for registration and the impugned refusal slip was issued by the respondent.

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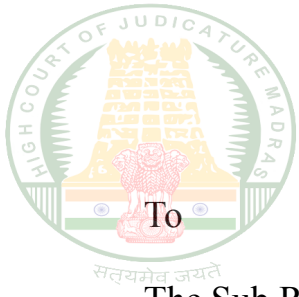
4.The Will may be registered or unregistered and it is not mandatory to register the Will as per law. Therefore, the reason stated by the respondent that the Will is not registered is erroneous and non application of mind. As far as the patta not standing in the name of the seller Laguduva S.Naganathan is concerned, it is also erroneous, since patta will not determine the title of the property. Therefore, the reasons stated by the respondent is erroneous. Hence, the impugned refusal check slip is quashed and consequently, the respondent is directed to register the sale deed within a period of four weeks from the date of receipt of a copy of this order.

5.With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

08.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes

Tmg



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To

The Sub Registrar,
Paramakudi,
Ramanathapuram District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.13860 of 2024**

DATED : 08.08.2025