



W.P(MD)No.25080 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.09.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25080 of 2025

and

W.M.P.(MD)No.19673 of 2025

Radharukmani

... Petitioner

Vs.

The Sub Registrar
Office of Sub-Registrar,
Srivilliputtur,
Virudhunagar District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned Refusal Slip in Refusal Number. RFL/Srivilliputtur/BOOK 2/22 dated 31.07.2025 issued by the respondent and quash the same as illegal and arbitrary and consequently direct the respondent to register the settlement deed dated 31.07.2025 presented by the petitioner for registration within the time fixed by this Court.



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For Petitioner : Mr.R.Ponkarthikeyan

For Respondent : Mr.S.Shanmugavel,
Addl. Government Pleader.

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ORDER

Heard both sides.

2.The writ petitioner is the settlor. She wants to settle the petition mentioned property in favour of her daughter. Admittedly, the property belongs to one Avudaiyappan. According to the writ petitioner, the said Avudaiyappan had executed an unregistered Will dated 20.04.2022 in her favour. The writ petitioner is said to be the childhood friend of the testator. When the document was presented for registration, the registering authority declined to register it. According to the registering authority, the Will has not been proved in the manner known to law. Refusal check slip was issued. Challenging the same, this writ petition came to be filed.

3.I will not fault the respondent. However, liberty is given to the petitioner to re-present the document. Thereupon, notice will be issued

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to all the legal heirs of the said Avudaiyappan. The legal heirs can appear either in person or through video conference mode. If the legal heirs appear through video conference mode, they will have to be identified by an advocate who is practicing locally. If all the legal heirs of Avudaiyappan agree that the Will is true and genuine, the registering authority can accept the document for registration and not otherwise. The entire exercise shall be carried out within a period of four weeks from the date of re-presentation of the document.

4.This writ petition is disposed of accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

16.09.2025

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

The Sub Registrar
Office of Sub-Registrar,
Srivilliputtur,
Virudhunagar District.

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G.R.SWAMINATHAN, J.

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