



W.P(MD)No.25930 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.25930 of 2025

Nambirajan

... Petitioner

Vs.

1.The District Registrar,
Tirunelveli,
Tirunelveli District.

2.The Sub Registrar,
Thirukurunkudi Sub Registrar Office,
Tirunelveli District.

... Respondents

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 Check Slip No.RFL/Thirukurungudi/11/2025 dated 12.08.2025 issued by the 2nd Respondent and quash the same as illegal and consequently direct the 2nd Respondent to register the sale deed dated 12.08.2025 presented by the petitioner for registration.



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For Petitioner : Mr.M.Pandian

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader.

ORDER

Heard both sides.

2.The petitioner executed sale deed dated 04.08.2025 in favour of the one Sudalaikannu. The document was presented for registration. The registering authority declined to register the document and issued the impugned refusal check slip containing reason. Challenging the same, this writ petition has been filed.

3.It is not in dispute that the petition mentioned property belonged to one Maharaja Thevar. He is none other than the writ petitioner's paternal uncle. The claim of the writ petitioner is that the said Maharaja Thevar executed a Will dated 21.10.2008 in his favour. Maharaja Thevar is said to have passed on 16.02.2019.

4.The claim put forth by the writ petitioner might be true. But it has to be established. Admittedly, Maharaja Thevar had only executed an



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unregistered Will. It is not a registered document. Though the petitioner has enclosed the death certificate of Maharaja Thevar, he has not produced the legal heir certificate. One is not sure as to how many legal heirs are there apart from the writ petitioner. If there are other legal heirs, then notice has to be issued to those persons. The registering authority has declined to register the document only by citing such good reasons. Interference with the said refusal check slip is not called for. At the same time, I grant liberty to the writ petitioner to re-present the document by producing the legal heirs certificate and other relevant documents. If there are other legal heirs, notice has to be issued to them and after they give their no objection, the document can be registered and released subject to fulfilment of other usual formalities.

5. With the aforesaid liberty to the writ petitioner and direction to the second respondent, this writ petition is disposed of. No costs.

22.09.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Tirunelveli,
Tirunelveli District.
- 2.The Sub Registrar,
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Tirunelveli District.



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G.R.SWAMINATHAN, J.

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