



1

W.P.(MD)NO.26359 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 23.09.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.26359 of 2025

Alphonsa

... Petitioner

Vs.

1. The District Registrar,
Virudhunagar District,
Virudhunagar

2. The Sub-Registrar,
Sub Registrar Office,
Panthalkudi,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records issued by the 2nd respondent dated 15.009.2025 nand quash the same as unlawful and unsustainable consequently directing the 2nd respondent to register the said settlement deed dated 12.09.2025 as and when the same is presented by the petitioner before him.

For Petitioner : Mr. S. Kishore Kumar

For Respondents : Mr. S. Shanmugavel,
Additional Government Pleader.

* * *

**ORDER**

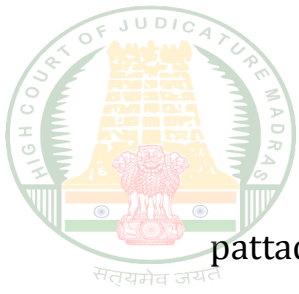
WEB COPY

Heard both sides.

2. The petitioner wants to settle the petition mentioned property in favour of her daughter Santhanamary. The settlement deed dated 12.09.2025 was presented for registration. The registering authority declined to register the document. Challenging the same, this writ petition has been filed.

3. The property belonged to one Rathinam Servai, S/o. Vedhamuthu Servai. The petitioner claims to be his niece. It is further claimed that the said Rathinam Servai died as bachelor. However according to the petitioner, Rathinam Servai before his demise executed an unregistered Will in favour of the writ petitioner and the writ petitioner continues to be in possession and enjoyment of the petition mentioned property every since.

4. However, patta still remains in the name of Rathinam Servai. It has not been mutated in favour of the petitioner. One does not know, if Rathinam servai did not leave behind any other legal heirs. It is true that Rathinam Servai died in the year 1991. The



pattadar passed away some 34 years ago cannot be a ground to bypass the administrative requirements. If the writ petitioner has produced a copy of the legal heir certificate, this Court could have proceeded further in the matter. No such certificate has been produced. Patta is yet to be mutated in favour of the writ petitioner. In these circumstances, the registering authority was justified in declining to register the document. It is open to the writ petitioner to re-present the document after effecting mutation of patta in her favour. If the document is re-presented along with the patta in favour of the writ petitioner, it shall be registered by the second respondent.

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

23.09.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

PMU



WEB COPY



4

W.P.(MD)NO.26359 OF 2025

G.R.SWAMINATHAN,J.

PMU

To:

1. The District Registrar,
Virudhunagar District,
Virudhunagar
2. The Sub-Registrar,
Sub Registrar Office,
Panthalkudi,
Virudhunagar District.

W.P.(MD)No.26359 of 2025

23.09.2025