



W.P(MD)No.32642 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.32642 of 2025

Y.Ashokan

... Petitioner

Vs.

The Sub-Registrar,
Palugal Sub Registrar Office,
Palugal,
Kanyakumari 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 of the impugned check slip made in Refusal Number RFL/Palugal/46/2025 dated 24.09.2025 and quash the same as illegal and consequently directing the respondent herein to register the Settlement Deed dated 23.09.2025 executed by the petitioner in favour of his son A.Anjish in respect of the land measuring 8.5 cents in S.No.487/15 of Anduode Village, Vilavancode Taluk, Kanyakumari District.

For Petitioner : Mr.D.Srinivasaragavan

For Respondent : Mr.M.Senthil Ayyanar,
Government Advocate.



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ORDER

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Heard both sides.

2.Yobu owned the petition mentioned property. He is said to have executed an unregistered Will dated 11.01.2005 in favour of the writ petitioner. Yobu passed away on 11.03.2005. The petitioner is the present assessee for the purpose of paying property tax. She executed settlement deed dated 23.09.2025 in favour of her son and presented the same registration. On the ground that the Will in question was not registered, the respondent declined to register the settlement deed. Challenging the refusal check slip, this writ petition has been filed.

3.It is well settled that a Will does not require registration. However, the propounder of the Will has to prove the same in the manner known to law. It is admitted that Yobu left behind six legal heirs namely, his wife, two daughters and three sons. The petitioner is permitted to re-present the settlement. Notices shall be issued at the cost of the writ petitioner to all the legal heirs. On the enquiry date, the other five legal heirs have to appear in person physically or if they are unable to appear



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in person, they should appear through counsel and also appear through video conferencing mode. If all the other legal heirs express their no objection, the document in question can be registered and released subject to fulfilment of other usual formalities.

4.In this view of the matter, the impugned refusal check slip is quashed. The petitioner is given liberty to re-present the document. The registering authority will adopt the course of action mentioned above. The writ petition is allowed on these terms. No costs.

17.11.2025

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

The Sub-Registrar,
Palugal Sub Registrar Office,
Palugal,
Kanyakumari District.



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G.R.SWAMINATHAN, J.

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