



W.P(MD)No.34778 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.34778 of 2025

V.Deivapalam

... Petitioner

Vs.

1.The District Registrar (Administration),
Collectorate Campus,
Palayamkottai,
Kokkirakulam,
Tirunelveli – 627 009.

2.The Sub Registrar,
Radhapuram Sub Registrar Office,
Radhapuram,
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 check slip issued by the second Respondent in Refusal Check Slip No. RFL/Radhapuram/79/2025 dated 06.11.2025 and quash the same as arbitrary, illegal and consequently directing the second respondent to register the Settlement deed presented



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by the Petitioner with respect to the properties comprised in S.No.308/1E (Agricultural land) to an extend of 8 Ares - 70.0 Sq.mtr. and in S.No. 288/1U (plot) to an extent of 61.0 Sqr. mtr. situated at Koodankulam Village, Radhapuram Taluk, Tirunelveli District.

For Petitioner : Mr.P.Saravanakumar
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

Heard both sides.

2.Settlement deed dated 06.11.2025 was executed by the writ petitioner in favour of her husband Vettumperumal conveying the petition mentioned property. The document was presented for registration. The registering officer declined to register the document on the ground that the petitioner traces her title to an unregistered Will and that the same has not been proved in the manner known to law. Challenging the stand of the respondent, this writ petition has been filed.

3.It is true that a Will need not be registered. But then, the petitioner has to obtain “No Objection Certificate” from the other legal



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heirs of the testatrix . The testatrix died as spinster. There are Class II legal heirs. The petitioner has to produce the death and legal heir certificates of the testatrix. At the cost of the writ petitioner, the registering shall issue notices to all the other legal heirs shown in the legal heir certificate. If all the legal heirs appear before the registering officer and give their consent, the document can be registered. If there is any dispute, the petitioner will have to approach the civil Court, prove the Will in the manner known to law and only thereafter deal with the property.

4.This Writ Petition is disposed of accordingly. No costs.

28.11.2025

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

To

1.The District Registrar (Administration),
Collectorate Campus,
Palayamkottai,
Kokkirakulam,
Tirunelveli – 627 009.

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G.R.SWAMINATHAN, J.

MGA

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

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