



WEB COPY



W.P.No.2970 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.2970 of 2026

A.Ramkumar

.. Petitioner

VS

1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
Santhome High Road, Chennai.

2.The District Registrar,
O/o.District Registrar Office,
Erode District, Erode.

3.The Sub Registrar,
Sub Registrar Office,
Punjai Puliampatti,
Erode District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records pertaining to the impugned refusal check slip in RFL/Punjai Puliampatti/01/2026 dated 07.01.2026 issued by the third respondent and quash the same as illegal and consequently direct the third respondent to accept and register the settlement deed dated 07.01.2026 presented by the petitioner.

For Petitioner : Mr.M.Kalaiyaran

For Respondents : Mr.U.Baranidharan,
Special Government Pleader



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ORDER

The petitioner asserts that his father Arumuga Gounder was the absolute owner of the property in Re-Survey Nos.288/7 and 288/2. On 08.03.2021, he is said to have executed a Will in favour of the petitioner and the petitioner's sister. Upon his death on 30.08.2021, it is stated that the Will came into force. Thereafter, the petitioner executed a settlement deed dated 07.01.2026 in favour of his wife in respect of the immovable property bequeathed to him under the Will. When presented for registration, the registering officer refused to register the settlement deed on the ground that the Will is unregistered and that it is unclear as to whether it is the last Will of the testator.

2. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for all the respondents. By referring to the legal heir certificate of the testator, he submits that there are three legal heirs, including the petitioner. Therefore, he submits that an enquiry would be necessary after issuing notice to all the legal heirs.

3. The Registration Act, 1908 does not require compulsory registration of a Will. Therefore, refusal on the ground that the Will is unregistered is untenable. However, the registering officer is entitled to verify whether it was the last Will and testament. In order to make such an assessment rationally, notice should have



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been issued to the legal heirs. This was not done. In order to enable such enquiry to be conducted, it is necessary to set aside the refusal check slip. Accordingly, the refusal check slip is set aside and the petitioner is permitted to re-present the settlement deed for registration. Upon such re-presentation, the registering officer shall call for documents or conduct an enquiry after issuing notice to the legal heirs of the late Arumuga Gounder. Within thirty days from the date of re-presentation, the registering officer shall register the settlement deed subject to fulfillment of other requirements in that regard or issue a speaking order of refusal.

4. This writ petition is disposed of on the above terms. There shall be no order as to costs.

06.02.2026

Index:Yes/No
Neutral Citation:Yes/No
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To

- 1.The Inspector General of Registration,
O/o.The Inspector General of Registration,
Santhome High Road, Chennai.
- 2.The District Registrar,
O/o.District Registrar Office, Erode District, Erode.
- 3.The Sub Registrar,
Sub Registrar Office,
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SENTHILKUMAR RAMAMOORTHY,J.

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