



WEB COPY

WP No. 4765 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**WP No. 4765 of 2026
and W.M.P.No.5301 of 2026**

1. M.Lakshmi
W/o.M.Mani, Petha Veppampattu Village,
Vaniyambdi Taluk, Tirupattur District.
2. M.Kasthuri,
W/o.V.M.Perumal, D.No.217,
Chakkarakuppam village, Tirupattur Taluk,
Tirupattur District.

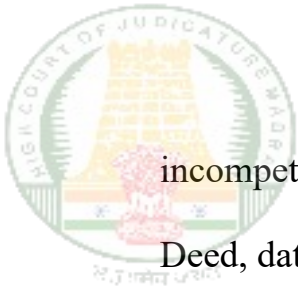
..Petitioner(s)

Vs

1. The Inspector General of Registration
100 Santhome Road, Chennai.
2. The District Registrar,
Tirupattur, Tirupattur District.
3. The Sub - Registrar,
Vaniyambadi, Tirupattur District.

..Respondent(s)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to Call for he records pertaining to the Refusal Check slip No.RFL / Vaniyambadi /48 /2025, dated 13/11/2025 issued by the Respondent -3 and to quash the same as illegal,



incompetent and further direction to the respondent -3 to register the Settlement Deed, dated 13/11/2025 with in time frame and thus render Justice.

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For Petitioner(s): Mr.P.A.Sudesh Kumar

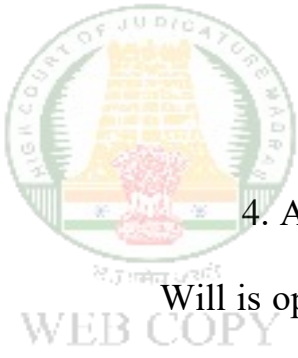
For Respondent(s): Mr.U.Baranidharan,
Special Government Pleader

ORDER

Relying on Will dated 15.03.2000 executed by their late father in their favour, the petitioners executed settlement deed dated 13.11.2025 in favour of their brothers and presented the same for registration. The request for registration was declined under the impugned refusal check slip on the ground that the Will is unregistered and that the patta is not in the name of the executants.

2. Learned counsel for the petitioner submits that registration of a Will is optional and not compulsory.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for all the respondents. He has handed over copies of patta no.195 in the name of Chenrayan and patta nos.411 in the names of 16 persons including the two petitioners herein.



4. As submitted by learned counsel for the petitioners, the registration of a Will is optional and not compulsory under the Registration Act, 1908. The Will was executed at Vaniyambadi and pertains to properties at Vaniyambadi. Therefore, even prior to the recent amendment to the Indian Succession Act, it was not necessary to obtain probate or letters of administration in respect of such Will. In these circumstances, the impugned refusal check slip cannot be sustained and is hereby set aside.

5. Consequently, the petitioners are permitted to re-present the settlement deed for registration within two weeks from the date of receipt of a copy of this order. Subject to fulfilment of other requirements relating to registration, the registering officer is directed to register the document within two weeks from the date of representation.

6. This writ petition is disposed of on the above terms. No costs. Consequently, the connected writ miscellaneous petition is closed.

19-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RNA



To

1. The Inspector General of Registration
100 Santhome Road, Chennai.
2. The District Registrar,
Tirupattur, Tirupattur District.
3. The Sub - Registrar,
Vaniyambadi, Tirupattur District.

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SENTHILKUMAR RAMAMOORTHY, J.

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