



W.P.No.6667 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.6667 of 2026

1.Sellamuthu
2.Harshini

... Petitioners

Vs.

The Sub Registrar,
Mulanur,
Tiruppur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for records of the impugned refusal Check Slip dated 27.01.2026 in RFL/Mulanur/06/2026 made by the respondent quash the same as illegal, arbitrary and violative of Art. 300A of the Constitution and consequently direct the respondent to entertain and register the settlement deed dated 27.01.2026.

For Petitioners : Mr.R.Prabakar

For Respondent : Mr.U.Baranidharan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip, dated 27.01.2026 issued by the respondent, refusing to register the



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settlement deed presented by the petitioners for registration on the ground that parent document, namely the will is not a registered document.

2. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of the respondent.

3. The petitioners have challenged the impugned order on the ground of violation of the principles of natural justice and also on the ground that the impugned order is a non-speaking order, which has been issued without jurisdiction. According to the petitioners, they are the absolute owners of the property by virtue of the will. The petitioners contend that, by total non-application of mind without there being a necessity for a will to be registered, the respondent had issued the impugned refusal check slip, refusing to register the settlement deed presented by the petitioners for registration on the ground that the will produced by the petitioners is unregistered.

4. As seen from the impugned refusal check slip, excepting for stating that the will produced by the petitioners is an unregistered will, the respondent, without affording any opportunity for the petitioners to dispute the same, has issued the impugned refusal check slip refusing to register the settlement deed



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presented by the petitioners for registration. The property is also situated in Tiruppur District and there is no requirement for registration of the will. The petitioners were also not afforded any opportunity of hearing by the respondent before issuing the impugned refusal check slip, dated 27.01.2026 refusing to register the settlement deed presented by the petitioners for registration.

5. Being an order passed by total non-application of mind to the fact that the will in respect of the property situated at Tiruppur District does not require registration and an order passed in violation of the principles of natural justice, as no opportunity of hearing was granted to the petitioners and the order being a non-speaking order, necessarily, the impugned refusal check slip, dated 27.01.2026 issued by the respondent has to be quashed and the matter has to be remanded back to the respondent for fresh consideration on merits and in accordance with law.

6. Accordingly, the impugned refusal check slip, dated 27.01.2026 issued by the respondent is quashed and the matter is remanded back to the respondent for fresh consideration on merits and in accordance with law. The petitioners are directed to re-present the settlement deed before the respondent, within a period of one (1) week from the date of receipt of a copy of this order.



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On re-presentation of the same within the stipulated time, the respondent shall issue notice to the petitioners for enquiry and the petitioners shall place their contentions in the said enquiry along with supporting documents and authorities and the respondent shall consider the same on merits and in accordance with law and take a final decision as to whether the settlement deed presented by the petitioners can be registered or not. The aforesaid exercise shall be completed by the respondent, within a period of eight (8) weeks from the date when the petitioners have re-presented the settlement deed for registration.

7. With the above directions, this Writ Petition is disposed of. No costs.

04.03.2026
(2/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp



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WEB COPY

To
The Sub Registrar,
Mulanur,
Tiruppur District.



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ABDUL QUDDHOSE, J.

sp

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(2/2)



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W.M.P.No.7251 of 2026

in

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ABDUL QUDDHOSE, J.

Ordered on payment of single court
fee.

sp

04.03.2026

($\frac{1}{2}$)