



WEB COPY

WP No. 7142 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 7142 of 2026

Ruth Rajan

..Petitioner(s)

Vs

The Sub- Registrar
Periamet SRO,
Chennai.

..Respondent(s)

Writ petition is filed under Article 226 of the Constitution of India seeking for issuance of a writ of certiorarified mandamus to call for the records on the file of the respondent pertaining to the impugned Refusal check Slip No. RFL /Periamet/ 20/ 2026 dated 12.02.2026, quash the same illegal and arbitrary, and Consequently direct the respondent to register the settlement Deed dated 12.02.2026 presented by the petitioner without insisting on the legal heirship Certificate of Late J.S.Vedamanikkam.

For Petitioner(s):

Mr.M.Vijayan
for Mr.B.Ramkumar

For Respondent(s):

Mr.Jayachandran
Govt Advocate



ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 12.02.2026 issued by the respondent refusing to register the settlement deed dated 12.02.2026 presented by the petitioner for registration. The impugned refusal check slip has been issued on the ground that the petitioner did not produce the legal heirship certificate of Late J.S.Vedamanikkam.

2. Originally, Late J.S.Vedamanikkam was the owner of the property in question. The petitioner claims that Late J.S.Vedamanikkam is her father-in-law. According to the petitioner, both her father-in-law and her husband are dead, and therefore, she has now become the owner of 1/3rd share of her husband in the entire property. The petitioner proposes to settle her share in favour of her children through the settlement deed dated 12.02.2026. However, the same was refused to be registered by the respondent through the impugned check slip dated 12.02.2026 for non-production of the legal heirship certificate of Late J.S.Vedamanikkam.

3. Mr.Jayachandran, learned Government Advocate, accepts notice on behalf of the respondent.



4. The learned counsel for the petitioner has also relied upon various decisions rendered by this Court in support of the petitioner's case that the respondent cannot insist upon the production of the legal heirship certificate in respect of a dead person who died long time back. The petitioner categorically contends that being the wife, she is the absolute owner of 1/3rd share in the entire property. The petitioner claims that she is in possession of the original sale deed standing in the name of her father-in-law.

5. Admittedly, prior to the passing of the impugned check slip dated 12.02.2026, the petitioner was not granted an opportunity of personal hearing by the respondent to substantiate her case. Therefore, no prejudice will be caused to the respondent if the matter is remanded back to the respondent for fresh consideration, on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner, and permitting her to place authorities rendered by the Constitutional Courts in support of her case that there is no legal prohibition for registering the settlement deed dated 12.02.2026 presented by the petitioner for registration. Only in the interest of justice, that too, when the petitioner being a senior citizen, this order is passed to avoid any further delay.



6. For the foregoing reasons, this writ petition is disposed of in the following manner:-

(a) The impugned check slip dated 12.02.2026 issued by the respondent is quashed; and the matter is remanded back to the very same respondent for fresh consideration on merits and in accordance with law.

(b) The respondent shall afford one personal hearing to the petitioner or her counsel.

(c) The petitioner or her counsel is also permitted to place reliance upon the authorities rendered by the Constitutional Courts in support of the petitioner's case.

(d) The respondent shall give due consideration to the petitioner's contentions as well as the authorities submitted by her, and thereafter pass a final order either admitting registration of the settlement deed dated 12.02.2026 or refusing the same; and the said final order should be a speaking order giving due consideration to the contentions of the petitioner as well as the authorities relied upon by her.

(e) The aforesaid exercise shall be completed by the respondent within a period of six weeks from the date of receipt of a copy of this order.



This Court is not expressing any opinion on the merits of the petitioner's contentions, and it is for the respondent to examine the same on merits and in accordance with law. No Costs.

04-03-2026

Neutral Citation: Yes/No
RKM

To

The Sub- Registrar
Periamet SRO,
Chennai.



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ABDUL QUDDHOSE, J.

RKM

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