



WEB COPY

WP No. 10172 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 10172 of 2026

1. Banmathi

W/o Late. Rajendhiran, Door No 3/460,
Kottapuliyannur Village, Gurubarahalli
Post, Pappireddipatti Taluka,
Dharmapuri District

Petitioner(s)

Vs

1. The District Registrar

Office of the District Registrar,
Dharmapuri District

2. The Sub Registrar

Office of the Sub Registrar, Taluk office
compound, Harur Post, Dharmapuri
District

Respondent(s)

WP No. 10172 of 2026

PRAYER

Calling for the entire records relating to the impugned order passed by the 2nd respondent through his proceedings in the Refusal Number RFL / Haruru / 42/ 2026 dated 13.02.2026 and quash the same as illegal and consequently directing the 2nd respondent to register the gift deed submitted by the petitioner in pursuance to the unregistered with executed by the petitioners husband within a stipulated time as fixed by this Honble Court

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For Petitioner(s): Mr. Krishnasamy Chinnasamy

For Respondent(s): M/s. K. Aswini Devi, AGP For
Respondent



ORDER

This writ petition has been filed, challenging the impugned refusal check slip dated 13.02.2026, issued by the second respondent, refusing to register the gift deed presented by the petitioner for registration on the ground that the parent document produced by the petitioner is an unregistered Will.

2. The petitioner has challenged the impugned order on the ground that it is a non-speaking order and has been passed in violation of the principles of natural justice. According to the petitioner, without affording an opportunity of hearing, the second respondent has issued the impugned refusal check slip.

3. Ms. Aswini Devi K, learned Additional Government Pleader accepts notice on behalf of the respondents. On instructions, she would submit that there is also a protest petition submitted by a third party, opposing the registration of the gift deed presented by the petitioner for registration.

4. As seen from the impugned order, no opportunity of hearing was granted to the petitioner prior to the passing of the impugned refusal check slip dated 13.02.2026. The impugned order has also not given due consideration to the contentions of the petitioner as raised in this writ petition and the supporting documents produced by the petitioner.

5. Being a non speaking order and an order passed in violation of the principles of natural justice, necessary, the impugned refusal check slip dated



13.02.2026 has to be quashed and the matter has to be remanded back to the second respondent for fresh consideration on merits and in accordance with law.

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6. Accordingly, the impugned refusal check slip dated 13.02.2026, issued by the second respondent is hereby quashed and the matter is remanded back to the second respondent for fresh consideration on merits and in accordance with law. The second respondent shall issue notice to all the necessary parties, including the petitioner and the party who has filed the protest petition and after hearing their respective contentions and the supporting documents produced by both of them, shall take a final decision within a period of four weeks from the date of receipt of a copy of this order as to whether the gift deed presented by the petitioner can be registered or not.

7. In case, the second respondent decides to refuse registration of the gift deed presented by the petitioner for registration, the second respondent shall pass a speaking order, after giving due consideration to the contentions of the petitioner as well as the supporting documents produced by the petitioner.

8. With the aforesaid directions, this writ petition is disposed of. No Costs.

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
ab



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To

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Dharmapuri District

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Office of the Sub Registrar, Taluk office
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ABDUL QUDDHOSE J.

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