



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

WP No. 14815 of 2026

1. Thangavel

Petitioner(s)

Vs

1. The Sub Registrar
Mohanur, Namakkal District.

Respondent(s)

PRAYER

Calling for records of the impugned Refusal Check Slip dated 18.12.2025 in RFL/Mohanur/240/2025 made by the respondent quash the same as illegal, arbitrary and consequently direct the respondent to entertain, register and release the Settlement deed dated 18.12.2025

For Petitioner(s): Mr.R.Prabakar

For Respondent(s): Mr.P.Harish Govt.Advocate For
Respondent

ORDER

This writ petition has been filed, challenging the impugned refusal check slip dated 18.12.2025 issued by the respondent, refusing to register the settlement deed dated 18.12.2025 presented by the petitioner for registration on the ground that the parent document viz., the “Will” is an unregistered Will.

2. The property is situated in Namakkal District. There is no requirement to obtain probate, in respect of a property situated in Namakkal District. The



law also does not stipulate that a Will has to be mandatorily registered.

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3. The petitioner had produced an unregistered Will, based on which the petitioner traces title over the property. By total non application of mind to the settled law, the impugned refusal check slip dated 18.12.2025 has been issued on the erroneous ground that the parent document viz., the “Will” is unregistered.

4. For the foregoing reasons, the impugned refusal check slip dated 18.12.2025 has to be quashed by this Court and this writ petition has to be allowed.

5. Accordingly, the impugned refusal check slip dated 18.12.2025 issued by the respondent is hereby quashed and this writ petition is allowed by directing the petitioner to re-present the settlement deed dated 18.12.2025 with the respondent within a period of one week from the date of receipt of a copy of this order. On re-presentation of the same, within the stipulated time, the respondent shall register the said settlement deed dated 18.12.2025 based on the parent document produced by the petitioner if the settlement deed is otherwise in order and subject to payment of stamp duty and registration fees within within a period of two weeks thereafter.



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

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22-04-2026

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

1.The Sub Registrar
Mohanur, Namakkal District.



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ABDUL QUDDHOSE J.

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