



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 17059 of 2026

Mrs.Jamuna
W/o.Late Sarathkumar,
No.1/200 Naravaloor,
Thaligai, Velagoundampatti,
Namakkal 637 212.

..Petitioner(s)

Vs

1. The inspector General of Registration
No.100, Santhome High Road,
Mullima Nagar, Mandavlipakkam,
Raja Annamalaipuram, Chennai 60028.
2. The District Registrar,
Namakkal.
3. The Sub - Registrar,
Velagoundampatti SRO, Namakkal 637 212.

..Respondent(s)

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd Respondent in the Impugned order in the Refusal Check slip bearing No.RFL / Velagoundampatti /149/ 2025 dated 23/12/2025 and quash the same and direct the 3rd respondent to register the same.



For Petitioner(s):

Mr.U.Gowri Shankar

For Respondent(s):

Mr.B.Siva Kollappan, Govt's counsel

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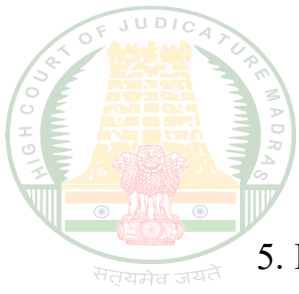
ORDER

This writ petition has been filed against the impugned refusal check slip dated 23.12.2025 issued by the 3rd respondent.

2. Mr.B.Siva Kollappan, learned Government's counsel, takes notice on behalf of the respondents.

3. By consent of the parties, the main petition is taken up for disposal in the stage of admission itself.

4. The learned counsel for the petitioner would submit that in this case, initially, the subject property was in the name of the petitioner's husband. Subsequently, the petitioner's husband passed away on 10.07.2025 leaving behind the petitioner as class-1 legal heir. As far as the petitioner's mother-in-law is concerned, though she falls under the category of class-1 legal heir, she was pre-deceased as early as on 07.03.2018. On the other hand, as far as the father-in-law and brother-in-law of the petitioner are concerned, they will fall under the category of class-2 legal heirs.

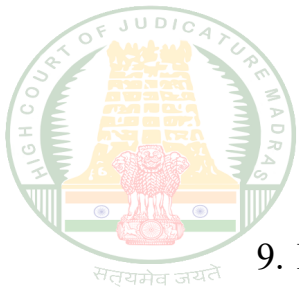


5. Hence, he would submit that now, the petitioner is only entitled for the entire extent of the property. Under these circumstances, the petitioner had presented a Power of Attorney Deed for selling the subject property. However, the same was rejected by the respondents on the ground that the petitioner is only entitled for 1/3rd portion of the subject property.

6. Further, he would contend that the said refusal order was passed, in non-application of mind, without considering the above aspects and hence, the same is liable to be set aside. Thus, he requests this Court to allow this petition.

7. In reply, the learned Government's counsel had fairly confirmed the submissions made by the petitioner and submit that since the father-in-law and brother-in-law of the petitioner are class-2 legal heirs, the petitioner, being the class-1 legal heir, will be entitled for the entire extent of the property. In such case, there is no impediment for the respondent in registering the document executed by the petitioner. Hence, he requests this Court to pass appropriate orders.

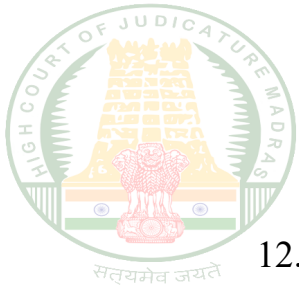
8. Heard the learned counsel for the petitioner and the respondents and also perused the entire materials available on record.



9. In the case on hand, initially, the subject property was in the name of the petitioner's husband. After the demise of petitioner's husband, the petitioner and her mother-in-law will become the class-1 legal heirs. However, the petitioner's mother-in-law was pre-deceased as early as in the year 2018. In such case, now, the petitioner is the only class-1 legal heir of the deceased.

10. As rightly contended by the petitioner, the father-in-law and brother-in-law of the petitioner will fall under the category of class-2 legal heirs and they cannot override the rights of the petitioner over the subject property. Hence, the petitioner, being the class-1 legal heir, will be entitled for the entire extent of the property. The said aspect was also admitted by the respondents. In such case, there is no impediment to the respondent in registering the Power of Attorney Deed executed by the petitioner.

11. For all the reasons stated above, this Court is inclined to quash the refusal check slip issued by the respondents. Accordingly, the impugned refusal check slip dated 23.12.2025 is hereby quashed. The petitioner shall re-present the Power of Attorney deed before the respondents for the purpose of registration. Upon re-presentation, the respondents shall register the same in accordance with law.



12. With the above directions, this writ petition is disposed of. No cost.

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03-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

nsa

To

1. The inspector General of Registration
No.100, Santhome High Road, Mullima Nagar,
Mandavlipakkam, Raja Annamalaipuram,
Chennai 60028.
2. The District Registrar,
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KRISHNAN RAMASAMY J.

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