



W.P.No.49601 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2026

CORAM

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

W.P.No.49601 of 2025

L.Kathiresh

.. Petitioner

VS

1.The Inspector General Of Registration,
Chennai.

2.The District Registrar,
Erode District Registrar Office,
Erode District.

3.The Sub Registrar,
Karumathampatti Sub Registrar Office,
Erode District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records pertaining to the refusal check sip bearing refusal No.RFL/Karumathampatti/19/2025 dated 10.11.2025 issued by the third respondent relating to registration of the partition deed presented under Application No,S01LANDW202511105004478 and quash the same and consequently direct the third respondent to receive, register and release the partition deed executed between the petitioner and his brother.



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For Petitioner

: Ms.L.Meenakshi
for Mr.M.Diensh

For Respondents

: Mr.U.Baranidharan,
Special Government Pleader

ORDER

The petitioner's grandmother, Ms.Sarojini, executed a Will on 15.12.2021 bequeathing the properties owned by her in favour of members of the family. After her demise on 29.08.2023, the Will came into effect and a partition deed was executed on the basis of the Will. Upon presentation, the request for registration was declined under the impugned refusal check slip.

2. Learned counsel for the petitioner submits that the registration was declined on the ground that the Will is unregistered. She submits that this is contrary to the settled legal position.

3. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice for all the respondents. While conceding that registration cannot be declined on the ground that the Will is unregistered, he adverts to other reasons for refusal recorded in the impugned order. In particular, he points out that the instrument was executed on 12.04.2024 and presented on 10.11.2025, which is



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beyond even condonable period. He also points out the absence of the signature of the witness on the sixth page.

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4. On perusal of the impugned order, it is noticeable that four reasons are recorded therein. The second reason, namely, the instrument being executed on the basis of an unregistered Will is clearly untenable. The first reason being presentation on 10.11.2025, which is even beyond condonable period, is valid; likewise, the absence of the signature of one of the witnesses is also a valid reason.

5. In these circumstances, no case is made out for interference with the impugned order. It is, however, open to the parties concerned to execute a fresh partition deed and present the same for registration. With these observations, this writ petition stands disposed of. There shall be no order as to costs.

08.01.2026

Index:Yes/No
Neutral Citation:Yes/No
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To

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SENTHILKUMAR RAMAMOORTHY,J.

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