



WEB COPY

WP No. 50745 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

WP No. 50745 of 2025

R.Venkatakrishnan, S/o.Ramakrishnan,
No.256, Madam Road, Vandavasi Taluk,
Vadakkupattu, Tiruvannamalai 604501.

..Petitioner

Vs

The Sub-Registrar, Joint II Sub-Registrar Office,
Chengalpet 603001.

..Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records connected with the impugned order passed by the respondent in refusal check slip in RFL/No.2 Joint Sub-Registrar Chengalpattu/102/2025 and quash the same and consequently direct the respondent to register the petitioner's Settlement Deed presented on 31.10.2025.

For Petitioner:

Mr.G.Sudangan
for Mr.Ashok

For Respondent:

Ms.Akila Rajendran, Govt. Advocate



ORDER

The petitioner asserts that immovable properties were bequeathed to the petitioner under a Will executed by his sister's husband, P.G.Krishnan, in his favour on 10.07.2024. The petitioner states that the said Will came into operation on the death of the testator on 09.06.2025. On the basis of the said Will, the petitioner executed a settlement deed in favour of his wife and presented the same for registration. The request for registration was declined under the impugned order on the ground that the Will is unregistered. Hence, this writ petition.

2. Ms.Akila Rajendran, learned counsel, accepts notice for the sole respondent.

3. The petitioner has placed on record the Will. The said Will has been executed in a village in Chengalpet District. The relevant properties are also situated outside Chennai. Therefore, even prior to the recent amendment to the Indian Succession Act, the legatee was not required to obtain either letters of administration or probate. Under the Registration Act, 1908, compulsory registration is not necessary as regards a Will. Therefore, the impugned order cannot be sustained and is set aside. As a corollary, the petitioner is permitted to re-present the settlement deed for registration within a period of two weeks



from the date of receipt of a copy of this order. Subject to fulfilment of other requirements relating to registration, the registering officer shall take necessary steps to register the document within two weeks from the date of re-presentation thereof.

4. The writ petition stands disposed of on the above terms. There will be no order as to costs.

22-01-2026

Index : Yes/No

Internet: Yes/No

Neutral Citation : Yes/No

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To

The Sub-Registrar, Joint II Sub-Registrar Office,
Chengalpet 603001.



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SENTHILKUMAR RAMAMOORTHY, J.

KJ

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