



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 19.06.2026

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**THE HONOURABLE MR JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P(MD)No.592 of 2026

Selvaraj

... Petitioner(s)

- Vs. -

The Sub-Registrar,
Oddanchatram,
Dindigul District.

... Respondent(s)

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records pertaining to the respondent in Refusal Number RFL /Ottanchatram/32/2025 dated 22.12.2025 and quash the same as illegal, consequently direct the respondent to register the partition deed dated 18.12.2025 presented for registration on 22.12.2025 in respect of 37 plots situated on the Northern side of Survey No. 12/1B (New Survey No. 12/21) approximately in an extent of 1 acre 80 cents situated at Veriyapoor Village, Oddanchatram Taluk within a time frame and pass such further or other order as this Honorable Court may deem fit and proper in the circumstances of the case.



For Petitioner :Mr.D.Venkatesh
For Respondent :Mr.S.Vashik Ali
Government Standing Counsel

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ORDER

This writ petition is filed challenging the impugned refusal check slip dated 22.12.2025. By the said order the partition deed presented by the petitioner was refused to be registered on two grounds. Firstly, it is stated that it is unapproved and unregularized house site. The second ground is that the original document under which the petitioner's claim title is not produced.

2.The learned counsel for the petitioner would submit that both the reasons cannot be sustained inasmuch as in respect of the subject property the same has been dealt with as residential property even before the cut off date of the year 2016 reliance is placed on document No.469 of 2011 dated 24th September 2010.

3.As far as the other reason is concerned, the learned counsel would submit that the petitioner's mother had settled the property on the petitioner's father, by a registered settlement deed bearing document No.335 of 1966. Based on the said title, the petitioner's father had executed an unregistered Will dated 24.09.2010 bequeathing the properties and claiming



through the Will the partition deed is presented. When the original Will is presented, then it satisfies the requirement under section 34C of the Act.

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4.I have also heard the learned Government Standing Counsel appearing on behalf of the respondent.

5.In view of the submission made that the original unregistered Will is produced and this Court holding that since the Will is not a compulsorily registrable document and no probate is also compulsory and the Will need not also be proved before the Sub-Registrar, the production of the original unregistered Will itself would satisfy the requirement under section 34C of the Act. As far as the other ground of refusal on the as per section 22-A(2) of the Act is concerned, since the said extent of property has been dealt with as “manai” even before the year 2016 the same cannot also be sustained.

6.In view thereof, this writ petition is allowed on the following terms:

(i)The impugned refusal check slip dated 22.12.2025 shall stand quashed.

(ii)Within three weeks from the date of receipt of the web copy of the order the petitioner will be entitled to present the partition deed for registration.



(iii) Upon such presentation, the same shall be registered if there is no other impediment.

WEB COPY (iv) No costs.

19.06.2026

NCC: Yes/No

To
The Sub-Registrar,
Oddanchatram,
Dindigul District.



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D.BHARATHA CHAKRAVARTHY, J.

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