



WP(MD). No.4325 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : **17.02.2026**

CORAM

THE HONOURABLE MR. JUSTICE **KRISHNAN RAMASAMY**

WP(MD). No.4325 of 2026

Seenivasan

... Petitioner

Vs

1. The District Registrar,
District Registrar Office,
Madurai.

2. The Sub Registrar,,
Sub Registrar Office,
Melur West,
Madurai District..

... Respondents

PRAYER :- 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 refusal check slip in RFL/Melur(Merku)/56/2025 issued by the 2nd respondent dated 01.12.2025 and quash the same as unlawful and unsustainable consequently directing the 2nd respondent to register the sale deed dated 03.11.2025 as and when the same is presented by the petitioner.



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For Petitioner : Mr.S.Muniyandi,

For Respondent : Mr.K.S.Selvaganesan,
Addl. Govt. Pleader

ORDER

This Writ Petition is filed challenging the impugned the refusal check slip issued by the 2nd respondent dated 01.12.2025 and also seeking for a consequential direction, directing the 2nd respondent to register the sale deed dated 03.11.2025 as and when the same is presented by the petitioner.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, the subject property originally belonged to the petitioner's grandfather and he executed a Will dated 22.09.2011 in favour of the petitioner and his brother. The petitioner's grandfather died on 08.06.2015. Therefore, based on the said Will, the petitioner and his brothers are enjoying the property. Due to heavy loss in their business, they intended to sell the property and hence, they



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executed a sale deed dated 03.11.2025. Thereafter, when the sale deed was presented by the petitioner, the same was refused to be registered on the ground that the subject property was not included in the Will executed by his grandfather. Challenging the same, the petitioner has filed this Writ Petition.

4. The learned counsel appearing for the petitioner would submit that in the Will dated 22.09.2011 executed by the petitioner's grandfather at page No.4 in clause 4, it is stated that if any property is left out in the Will, the same will go to his grandchildren. Therefore, the petitioner and his brother are entitled to all the property belonged to his grandfather. He would further submit that the petitioner's father is not interested in this property. Therefore, they are entitled to have all rights in respect of the subject property. Therefore, the impugned refusal check slip issued by the 2nd respondent is liable to be quashed.

5. However, the learned Additional Government Pleader appearing for the respondents submits that the properties purchased subsequent to the Will would certainly go to the other legal heirs. Hence, he raised strong objections to the allowing of this Writ Petition.



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6. This Court heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

7. Considering the facts and circumstances of the case, this Court is of the view that, no doubt, if it is not clearly mentioned in the Will executed by the grandfather to his grandsons, regarding the properties purchased subsequent to its execution, as rightly contended by the learned Additional Government Pleader appearing for the respondents, such properties would go to the other legal representatives of the executant in the absence of any other provisions in the Will. But Clause 4 at page No. 4 of the Will is required to be read along with Clause 3 on the same page, in which it is stated that the final rituals are to be performed by the grandchildren, namely, the petitioner. On a reading of the above, the real intention of the executant appears to be that his grandchildren are entitled even to the properties left out in the Will which are purchased after the Will, but before the death of the executant. Therefore, the petitioner has every right to sell the subject property. In the event of any objection from the legal representatives, who is none



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other than the father of the petitioner, regarding the sale of the subject properties, it is open to him to approach the Court of law and agitate his rights in accordance with law. Therefore, this Court finds no impediment for the 2nd respondent to register the sale deed dated 03.11.2025 presented by the petitioner. Therefore, this Court is inclined to set aside the impugned refusal check slip issued by the 2nd respondent dated 01.12.2025.

8. Accordingly, the impugned refusal check slip issued by the 2nd respondent dated 01.12.2025 is set aside. The petitioner is directed to represent the sale deed dated 03.11.2025 and upon representation, the 2nd respondent is directed to register the same, forthwith, in accordance with law.

9. With the above observations, this Writ Petition is allowed.
There shall be no order as to costs.

17.02.2026

Index : Yes/No

NCC : Yes/No

VSM

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KRISHNAN RAMASAMY, J.

VSM

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