



W.P.(MD).No.7610 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23-03-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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M.Saravanaprabu

... Petitioner

Vs.

1. The Sub Registrar,
Dindigul Joint II Sub Registrar Office,
Dindigul.

2. The District Registrar,
District Registrar Office,
Dindigul District.

3. The Deputy Inspector General of Registration,
O/o.The Deputy Inspector General of Registration,
Madurai.

... Respondents

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus, to call for the records of the Refusal Check Slip in RFL/2 Joint-II Sub-Registrar, Dindigul / 17 / 2026, dated 24.02.2026 and quash the same as illegal, improper and against the law and consequently direct the 1st respondent to register the Petitioners Gift Deed dated 23.02.2026 with regard to the property in Dindigul District, Dindigul West Taluk, Kuttathupatti Village, property comprised in Patta No.490, Survey No. 365/5A, to the extent of 0.18.00 hectare, Punja land within the stipulated time period fixed by this Honble Court and pass such further or other



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orders as this Honble court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.M.Vivek Bharathi
For Respondents : M/s.K.Malathi
Additional Government Pleader

ORDER

The writ petition is filed challenging the Impugned Refusal Check Slip dated 24.02.2026.

2. Heard Mr.M.Vivek Barathi, learned counsel appearing for the petitioner and M/s.K.Malathi, learned Additional Government Pleader, who takes notice on behalf of the respondents.

3. Upon hearing the learned counsel on either side and perusing the material records of the case, it is seen that the subject property originally belonged to the petitioner's grandfather. The petitioner's grandfather bequeathed the subject property through an unregistered Will dated 08.02.2020. Consequently, the petitioner has become the owner of the property and is now executing a settlement deed and presenting the same for registration.



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4. By way of proof, the Patta that stood in the name of the petitioner's grandfather as also the 'Unregistered Will' were produced before the 1st respondent, however, the same was rejected on the ground that the Patta has not been transferred to the name of the petitioner.

5. On a consideration of Section 34(C), it is evident that Patta is required to be insisted upon only when the property is claimed as ancestral property. Insofar as the ownership of the property is concerned, the unregistered Will executed by the petitioner's grandfather has been produced. In the absence of any objection with reference to the same, the document need not be refused.

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

- i. The Impugned Refusal Check Slip dated 24.02.2026 is set aside and the matter is remanded back to the file of the respondents for fresh consideration
- ii. The petitioner is directed to re-present the document along with an affidavit of undertaking, vouching the death certificate, the truth



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and correctness of the 'Will' and undertaking to indemnify the authorities, in case if his averments are found to be incorrect, within a period of two weeks from the date of receipt of a web copy of this order.

- iii. Upon such representation, the document shall be registered as expeditiously as possible.
- iv. No costs.

23.03.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
rgm



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To

1. The Sub Registrar,
Dindigul Joint II Sub Registrar Office,
Dindigul.
2. The District Registrar,
District Registrar Office,
Dindigul District.
3. The Deputy Inspector General of Registration,
O/o.The Deputy Inspector General of Registration,
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D.BHARATHA CHAKRAVARTHY, J.

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