



W.P.(MD)No.8969 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.8969 of 2026

Kumar

... Petitioner

-VS-

The Sub Registrar,
Sankarankovil Sub Registrar Office,
Sankarankovil,
Tenkasi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the respondent vide RFL/Sankarankovil/19/2026 dated 26/02/2026 and quash the same and further directing the respondent to register the partition deed dated 25.02.2026 executed by the petitioner.

For Petitioner : Mr.T.Selvan

For Respondent : Mr.F.Deepak
Special Government Pleader

ORDER

The present writ petition has been filed challenging the impugned refusal check slip dated 26.02.2026.

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2. When the petitioner, along with others, presented a document for partition of the properties among the legal heirs, the same was refused.

3. Upon hearing the learned counsel for the petitioner and perusing the materials on record, it is seen that the property originally belonged to one Karuppaiah Moopanar. As reflected in the impugned refusal check slip, the said Karuppaiah Moopanar had three sons, namely, Periyasamy Moopanar, Seenisamy Moopanar, and Arumugasamy Moopanar. The persons presenting the document are the legal heirs of the said three sons.

4. It is further seen that the property was purchased by Karuppaiah Moopanar under Document Nos.1351 of 1955 and 798 of 1957, and he died on 16.09.1984. Since the death certificate and the legal heirship certificate of the said Karuppaiah Moopanar were not produced, the impugned refusal check slip came to be issued.

5. In this regard, as rightly contended by the learned counsel for the petitioner, Karuppaiah Moopanar died as early as in the year 1984, and pursuant



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to due enquiry, the patta has already been transferred in the names of his three sons. There is no rival claim. The death certificates and legal heirship certificates of the three sons have also been produced. In such circumstances, though the Sub-Registrar is justified in insisting upon the death certificate and legal heirship certificate of the original owner, considering the lapse of time, the available records, and the absence of any rival claim, such insistence need not be made in the present case. The partition deed has been presented by including all the legal heirs of the three sons in accordance with the legal heirship certificates issued to them.

6. Accordingly, the writ petition is allowed on the following terms:

- (i) The impugned refusal check slip dated 26.02.2026 is set aside.
- (ii) The petitioner shall re-present the document within a period of two weeks from the date of receipt of a web copy of this order, without waiting for a certified copy.
- (iii) The parties shall file an affidavit stating that there are no other legal heirs of the said Karuppaiah Moopnar, and shall also produce, in original, the death certificates and legal heirship certificates of the three sons of Karuppaiah Moopnar.



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(iv) Upon re-presentation of the document, if there is no other legal impediment, the document shall not be refused registration solely on the ground of non-production of the death certificate and legal heirship certificate of Karuppaiah Moopanar.

No costs.

02.04.2026

NCC : Yes / No
smn2

To:-

The Sub Registrar,
Sankarankovil Sub Registrar Office,
Sankarankovil,
Tenkasi District.



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D.BHARATHA CHAKRAVARTHY, J.

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