



W.P(MD)No.16660 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 18.06.2026

CORAM

THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.16660 of 2026

Pugal Perumal

... Petitioner

Vs.

The Sub Registrar,
Office of the Sub Registrar,
Bodinayakanur Taluk,
Theni District.

...Respondent

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 relating to the impugned refusal slip in TP/280683275/2026 dated 12.06.2026 issued by the respondent and quash the same and consequently direct the respondent to register the general power of attorney dated 18.05.2026 executed by the petitioner forthwith and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner

: Mr.T.Antony Arulraj

For Respondent

: Mr.P.Rajagopalan
Government Standing Counsel



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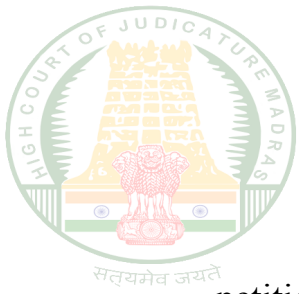
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ORDER

The writ petition is filed challenging the impugned refusal check slip dated 12.06.2026.

2. Heard Mr.T.Antony Arulraj, learned counsel appearing for the petitioner and Mr.P.Rajagopalan, learned Government Standing Counsel, who takes notice on behalf of the respondent.

3. The case of the petitioner is that the property comprised in S.No.225/A1, situated at Bodinayakanur Municipal Town, Bodinayakanur Taluk, Periyakulam Registration District, Theni District, measuring an extent of 3 acres and 44 cents was purchased by the grandmother of the petitioner namely Tmt.Pankajavalli, wife of V.N.Jayaprakash along with her co-sisters under a registered sale deed dated 06.05.1970. The said Tmt.Pankajavalli during her life executed a 'Will' dated 11.11.2024 bequeathing her share in the properties in favor of the petitioner by an unregistered 'Will' dated 11.11.2024. Thereafter, she passed away on 01.02.2026. Consequently, as a legatee when the



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petitioner has sought to appoint a power of attorney for the property vested on the petitioner and a general power of attorney document dated 18.05.2026 was executed constituting his mother Samudram as the power of attorney agent and presented before the Sub Registrar. The same has now been refused by the impugned refusal check slip. The impugned order states that the 'Will' is unregistered and has also not been probated.

4. The learned Government Standing Counsel appearing on behalf of the respondent would submit that in the absence of proof of 'Will' the Sub Register has passed an order.

5. It is now well settled that neither the registration nor the probate of a Will is mandatory. It is also not the duty of the legatee claiming under the Will to prove its genuineness before the Sub-Registrar. .



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

- i. The impugned order dated 12.06.2026 shall stand set aside.
- ii. The petitioner is directed to re-present the document for registration, within a period of three weeks from the date of receipt of a web copy of the order, without waiting for the certified copy of the order.
- iii. Upon such representation, the same shall be registered, if there is no other impediment otherwise.
- iv. No costs.

18.06.2026

Neutral Citation: No
rgm



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To

The Sub Registrar,
Office of the Sub Registrar,
Bodinayakanur Taluk,
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D.BHARATHA CHAKRAVARTHY, J.

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