



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 22.06.2026

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

W.P(MD)No.17160 of 2026

Rajadurai

... Petitioner(s)

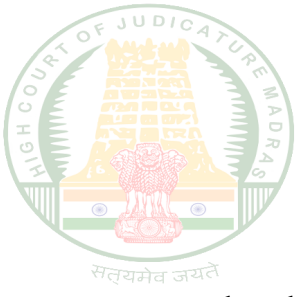
- Vs. -

The Sub-Registrar
Udankudi,
Tuticorin 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 relating to the impugned Refusal Check Slip of the respondent in RFL/Udankudi/38/2026 dated 29.05.2026 and quash the same and consequently direct the respondent to register the settlement deed dated 29.05.2026 executed by the petitioner in favor of his wife Padmavathi within the time fixed by this Honble Court and thus render justice.

For Petitioner : Mr.P.Praveenkumar
For Respondents : M/s.P.Sudarkodi Nachiyar
Government Standing Counsel



ORDER

This writ petition is filed challenging the impugned refusal check slip

dated 29.05.2026.

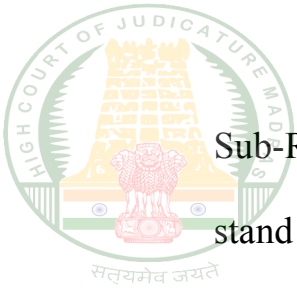
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2. When the petitioner presented a settlement deed for registration, the same is refused for registration.

3. The case of the petitioner is that the property originally belonged to his father Kumarasamy, who executed a Will bequeathing the property in favour of the petitioner by an unregistered Will dated 30.12.2014. Subsequently, the said Kumarasamy also died on 12.01.2017 and the petitioner came to be vested with the said properties. Even in the Patta, the petitioner's name is also included along with his father's name. Therefore claiming legatte under the Will. When the petitioner has presented the document, the same is refused on the ground that the Will is unregistered.

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

5. It is now well settled that the registration and probate of the Will is not compulsory. The parties are not required to prove the Will before the



Sub-Registrar. In view of the same, the impugned refusal check slip cannot stand and the writ petition is allowed on the following terms:

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(i)The impugned order dated 29.05.2026 shall stand set aside.

(ii)Within three weeks from the date of receipt of the web copy of the order, the petitioner can re-present the document.

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

(iv)No costs.

22.06.2026

NCC:Yes/No

Ns

To

The Sub-Registrar

Udankudi,

Tuticorin District.



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D.BHARATHA CHAKRAVARTHY, J.

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22.06.2026