



W.P.(MD)No.17584 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2026

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.17584 of 2026

S.Kokila

... Petitioner

Vs.

1. The District Collector,
O/o. District Collector,
Madurai District.
2. The District Revenue Officer,
Madurai District,
Madurai.
3. The Revenue Divisional Officer,
Madurai District,
Madurai.
4. The Tahsildar,
Madurai North Taluk,
Madurai District.
5. The Zonal Deputy Tahsildar,
Madurai North Taluk,
Madurai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to accept the petitioner's online application vide application No.2026/0103/24/028308 dated 12.06.2026 with all relevant documents to transfer the name of the patta bearing No.164 to the petitioner's name for the property in new survey No.180/5, (Old Survey No.232/5) situated at Siruvalai Village, Madurai North Taluk, Madurai District in turn with the section 63 of Indian succession act and section 18(e) of the registration act 1908 within the time limit framed by this Court.

For Petitioner : Mr.R.Vignesh

For Respondents : Mr.S.Siva Thilakar
Counsel for the State of Tamil Nadu

ORDER

This petition has been filed seeking to direct the respondents to accept the petitioner's online application vide application No.2026/0103/24/028308 dated 12.06.2026 with all relevant documents to transfer the name of the patta bearing No.164 to the petitioner's name for the property in new survey No.180/5, (Old Survey No.232/5) situated at Siruvalai Village, Madurai North Taluk, Madurai District in turn with the section 63 of Indian succession act and section 18(e) of the registration act 1908 within the time limit framed by this Court.



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2. The learned counsel for the petitioner submitted that the petitioner claims title over the property comprised in Survey No.180/5 (Old Survey No. 232/5). The said property originally belonged to the petitioner's father, namely, Sethuraman. During his lifetime, the petitioner's father executed a Will dated 09.07.2021 bequeathing the said property in favour of the petitioner. Thereafter, he died on 03.11.2024, consequent to which the Will came into effect. Thereafter, the petitioner approached the respondent authorities seeking transfer of patta in his name based on the said Will. However, the respondents orally informed the petitioner that since the Will is an unregistered one, the same could not be acted upon for effecting mutation of revenue records and advised the petitioner to get the Will registered. The petitioner submits that such a stand taken by the respondents is contrary to law, as registration of a Will is not mandatory and an unregistered Will is also legally valid, provided it is otherwise genuine and duly proved in accordance with law.

3. Heard the learned counsel appearing for the State/respondents.



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4. It is a settled proposition of law that registration of a Will is not mandatory. Therefore, the respondents cannot insist upon the registration of the Will. Further, after the demise of the petitioner's father, the Will cannot be registered. Accordingly, the respondents are directed to consider the petitioner's online application in light of the above observations. The respondents shall also take into consideration the unregistered Will and effect the transfer of patta in the petitioner's name. If any objection is raised, it is open to either the petitioner or the objector to approach the competent Civil Court for appropriate relief. The aforesaid exercise shall be completed by the respondents within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

24.06.2026

Index : Yes / No
Internet : Yes
NCC : Yes / No
msrm



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S.SRIMATHY, J

msrm

**Order made in
W.P.(MD)No.17584 of 2026**

24.06.2026