



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 02.06.2026

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

W.P(MD)No.29251 of 2025

Antony Xavier George

... Petitioner(s)

- Vs. -

1.The District Registrar,
Ramanathapuram District.

2.The Sub Registrar,
Sub Registrar Office,
Rajasingamangalam,
Ramanathapuram 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 of the impugned Refusal Check Slip in Refusal Number in RFL/Rajasingamangalam/69/2025 dated 24.09.2025 passed by the 2nd Respondent herein and quash the same as illegal and further direct the 2nd Respondent herein to register and release the settlement deed dated 22.09.2025, within a time stipulated by this Hon`ble Court without insisting for the production of order of Probation of Will in the light of the orders made by this Hon`ble Court in T.A.Rajasekar v. The Sub-Registrar and in P.Manickam v.The Sub Registrar and pass such further or other orde



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For Petitioner :Mr.M.Sendhil Kumar
For Respondents :Mr.R.Parthiban,
Government Advocate

ORDER

This writ petition is filed challenging the refusal check slip dated 24.09.2025.

2.The case of the petitioner is that the property in question originally belonged to his paternal grand-mother Y.Viyagulamary @ Viyagulam. She executed a unregistered Will dated 25.06.2014 and by the said Will she bequeathed the properties in question in favour of the petitioner subsequently the said testator died on 27.08.2014. Now claiming to be the legatee under the said Will, when the petitioner executed a settlement deed, the same is refused on the ground that the Will is unregistered.

3.I have also heard the learned counsel appearing on behalf of the Sub Registrar, who by relying upon the counter affidavit, would submit that in the absence of any proof relating to the Will and removing the suspicious circumstances surrounding the Will, the document was not registered.

4.I have considered the rival submissions made on either side and



perused the material records of the case.

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5.This is not a case of private party objection. Will is not a compulsorily registrable document. Probate is also not compulsory. It is not necessary for the legatee claiming under the Will to prove the Will before the Sub Registrar.

6.In view thereof, the reasons mentioned in the refusal check slip cannot be sustained and this writ petition is ordered on the following terms:

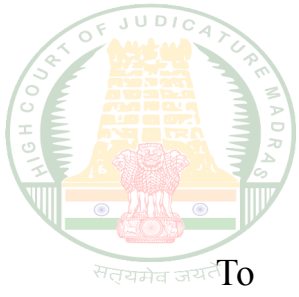
(i)The impugned refusal check slip dated 24.09.2025 shall stand set aside.

(ii)Within two weeks from the date of receipt of the web copy of the order, the petitioner can re-present the document and upon such re-presentation, if there is no other impediment, the same shall be registered.

(iii)No cost.

02.06.2026

NCC:Yes/No
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- To
- 1.The District Registrar,
Ramanathapuram District.
 - 2.The Sub Registrar,
Sub Registrar Office,
Rajasingamangalam,
Ramanathapuram District.

D.BHARATHA CHAKRAVARTHY, J.



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