



W.P.(MD)No.34106 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.34106 of 2025

Pappathi

... Petitioner

Vs.

The Sub Registrar,
Sub Register Office,
Kariyapatti,
Virudhunagar District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned refusal check Slip No. RFL/Kariyapatti/93/2025 dated 13.10.2025 issued by the respondent and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently, directing the respondent to register the document presented by the petitioner for registration within time frame that may be stipulated by this Court.

For Petitioner : Mr.A.Karthigaivel

For Respondent : Mr.M.Gangatharan
Government Advocate



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ORDER

WEB COPY This Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus, challenging the impugned refusal check slip dated 13.10.2025.

2. Upon hearing the learned counsel for the petitioner and upon perusal of the materials available on record, it is the case of the petitioner that she is the mother of four children, namely, Sethuraman, Mahalakshmi, Irulayee and Selvi. The subject property belongs to the petitioner and her three daughters, each having a 1/4th undivided share in the property. In this regard, the three daughters had executed a Joint Power of Attorney in favour of the petitioner, which was registered as Document No.42 of 2012 dated 13.03.2012. Subsequently, the petitioner presented a settlement deed for registration. However, the same has been refused on the ground that one of the daughters, who had executed the said Power of Attorney, namely Irulayee, has since passed away.

3. In response, the learned counsel for the petitioner would submit that the 1/4th share of the deceased daughter, namely Irulayee, has been expressly excluded in the settlement deed presented for registration. Therefore, the impugned refusal check slip is unsustainable.



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4. At the same time, on a perusal of the Power of Attorney executed by the other two daughters, it is seen that the power conferred upon the petitioner is limited to acts such as sale of the property, entering into agreements, presentation of documents, and related revenue matters including mutation of patta. There is no specific or express authority conferred upon the petitioner to execute a settlement deed in favour of their brother.

5. Therefore, while re-presenting the document, it would be open to the petitioner to suitably amend the document by incorporating the daughters as co-executants, since the Power of Attorney does not expressly authorize execution of a settlement deed. It is also necessary to correct the preamble portion of the document, wherein the name of the deceased daughter, Irulayee, has been incorrectly included.

6. In view of the above, this Writ Petition is ordered on the following terms:

- (i) The impugned refusal check slip dated 13.10.2025 is set aside.



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(ii) It is open to the petitioner to re-present the document after carrying out necessary corrections and alterations, including the addition of the surviving daughters as co-executants, and by removing the name of the deceased daughter from the document.

(iii) Upon such re-presentation, and if the document is otherwise in order and duly executed by the concerned parties, the respondent / Sub Registrar shall register the same, if there is no other legal impediment.

No costs.

07.04.2026

Neutral Citation : No
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To

The Sub Registrar,
Sub Register Office,
Kariyapatti,
Virudhunagar District.



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D.BHARATHA CHAKRAVARTHY, J.

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