



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 25387 of 2026

Salim Basha
S/O.(Late) Ibrahim,
No.3/13, Majeeth Nagar,
Saligramam, Chennai – 600 093.

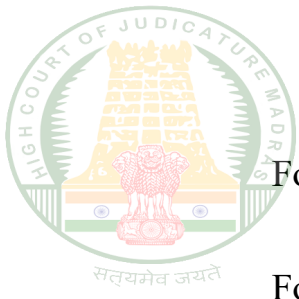
..Petitioner(s)

Vs

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai – 600 004.
2. The Sub-Registrar,
Bhuvanagiri Sub-Registrar Office,
Bhuvanagiri, Cuddalore District.

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Certiorarified Mandamus calling for the records relating to the Refusal Check Slip RFL/Bhuvanagiri/78/2025, dated 03.12.2025 issued by the 2nd respondent, quash the 2nd return mentioned therein as being illegal and unsustainable in law, and consequently direct the 2nd respondent to register the Release Deed dated 03.12.2025 presented for registration in respect of the property in Survey No.6/3C2, Marudhur Village, Cuddalore District, upon due compliance of the other returns.



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For Petitioner(s): Mr.Hemakumar S.

For Respondent(s): Mr.Dominic S.David

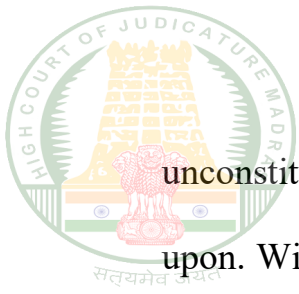
Government Counsel

ORDER

The present Writ Petition has been filed challenging the Refusal Check Slip dated 03.12.2025 issued by the second respondent.

2. The learned counsel for the petitioner submitted that when the Release Deed was presented for registration before the second respondent, the same was returned by raising the following objections: (i) the Release Deed did not contain the signature of the Document Writer; (ii) the original parent document of the year 1958 had not been produced; and (iii) the revenue records in respect of the subject survey number stand in the name of one Venkatesan.

3. The learned counsel further submitted that the first objection is purely technical in nature, arising out of an inadvertent omission, and that the parties are willing to rectify the defect by obtaining the signature of the Document Writer and re-presenting the document. Insofar as the second objection is concerned, Section 34-C of the Registration Act, 1908, having been declared



unconstitutional, production of the original parent document cannot be insisted upon. With regard to the third objection, it was submitted that the petitioner has obtained patta in respect of Survey No.6/3C2, is in possession of the property, and possesses the relevant revenue records. Hence, the impugned Refusal Check Slip dated 03.12.2025 is liable to be set aside.

4. Per contra, learned Government Counsel submitted that the production of the original parent document is no longer mandatory in view of the declaration of Section 34-C of the Registration Act, 1908 as unconstitutional. Insofar as the absence of the document writer's signature is concerned, the same would be considered upon re-presentation of the document. With regard to the discrepancy in the revenue records, notice would be issued to the person whose name is reflected therein, and after conducting an enquiry, appropriate orders would be passed in accordance with law.

5. Having regard to the above submissions, this Court is inclined to set aside the impugned Refusal Check Slip dated 03.12.2025. Accordingly, the same is set aside. The petitioner is directed to re-present the Release Deed after rectifying the defect relating to the signature. Upon such re-presentation, the respondents shall conduct an enquiry after issuing notice to the person whose



name is found in the revenue records relating to the subject survey number and thereafter pass appropriate orders on the registration of the document, in accordance with law, within a period of four (4) weeks from the date of re-presentation. Production of the original parent document shall not be insisted upon in view of the declaration of Section 34-C of the Registration Act, 1908 as unconstitutional.

6. With the above directions, the Writ Petition stands disposed of. No costs.

24-07-2026

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To

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai – 600 004.
2. The Sub-Registrar,
Bhuvanagiri Sub-Registrar Office,
Bhuvanagiri, Cuddalore District.



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KRISHNAN RAMASAMY, J.

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