



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 27958 of 2026

Thirumathi Vasantha

..Petitioner(s)

Vs

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
No.100, Santhome High road, Chennai –
600028.
2. The District Registrar,
Office of the District Registrar (Villupuram),
District Registrar Office Campus,
Villupuram - 605602.
3. The Sub Registrar,
Office of the Joint II Sub Registrar, Villupuram,
Villupuram District - 605602.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned refusal check slip bearing No.RFL/Villupuram Joint II/105/2026 dated 01.06.2026 on the file of the 3rd respondent, passed in purported reliance upon the 1st respondent's memo No.44420/C1/2024 dated 02.02.2026 and quash the same and consequently direct the 3rd respondent to receive, register and release the settlement deed dated 07.05.2026 presented by the petitioner on due without insisting on the production of the original prior title deeds.

For Petitioner(s): Mr.Mohan Raj Chandra Sekaran

For Respondent(s): Mr.M.Roshan Atiq,



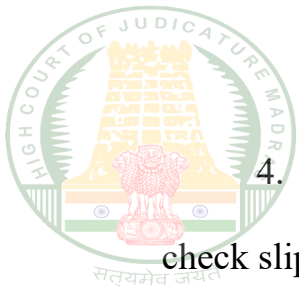
Government's Counsel

ORDER

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2. Learned counsel for the petitioner would submit that the petitioner has intend to settle her 1/4th undivided share in the Schedule 'A' property in Settlement Deed in favour of her elder son viz., R.Sundar. The property was absolutely owned by her late husband Mr.V.Rajaram, acquired via five registered deeds. Following his intestate demise on 02.02.2008, the petitioner and their three children each acquired a 1/4th share. When the petitioner presented the settlement deed on 01.06.2026 before the third respondent, the same was refused to be registered by invoking the powers under Section 34C of the Registration Act, 1908, on the ground that, unless a previous original documents are produced, the settlement deed cannot be registered. Challenging the same, the petitioner has come forward with the present writ petition.

3. The issue in this writ petition is no longer *res-integra* and the same has already been considered by a Division Bench of this Court in ***M/s.Dugars, represented by its Partners Vs., State of Tamil Nadu and Others [W.P.(MD) No.7415 of 2026 etc., batch, dated 23.06.2026]***, wherein Section 34C of the Registration Act, 1908 has been declared unconstitutional.



4. In view of the above, the reasons assigned in the impugned refusal check slip dated 01.06.2026 can no longer be sustained.

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5. Accordingly, the writ petition is disposed of on the following terms:

- (i) The impugned refusal check slip dated 01.06.2026 is set aside.
- (ii) The petitioner shall re-present the settlement deed dated 07.05.2026 before the third respondent for registration. Upon such re-presentation, the respondent is directed to register the same, within a period of one week from the date of re-presentation of the said document.
- (iii) No costs.

20-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VM

To:

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no.100, Santhome high road, Chennai –
600028.
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KRISHNAN RAMASAMY, J.

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