

W.P(MD)No.9279 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 09.06.2026

CORAM

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

W.P(MD)No.9279 of 2026

I.Michael

... Petitioner(s)

- Vs. -

1.The Sub Registrar,
Boothapandy,
Kanyakumari District.

2.M/s. Thovalai Cooperative Housing Society (Mda Hsg 9),
Rep by its Secretary, Mr.T.Jeyapaul,
S/o.Thomson,
Thittuvilai,
Thovalai Taluk,
Kanyakumari 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 rfl/boothapandy/7/2026 dated 17.02.2026 issued by the 1st respondent and quash the same as illegal and consequently direct the 1st respondent to register the receipt



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submitted by the petitioner with regard to property comprised in survey no.9/3, 9/4 and 9/5 measuring 11 cents, situated in therisanangkoppu village, thovaalai taluk, boothapandi, kanyakumari district within a time frame fixed by this Court.

For Petitioner
For R1 & R2

:Mr.S.Suresh Manickam
:Mr.R.Parthiban
Government Standing Counsel

ORDER

This writ petition is filed challenging the impugned refusal check slip dated 17.02.2026.

2.The case of the petitioner is that after purchase of the property in the year 1990, the petitioner obtained loan from the second respondent society by a mortgage deed registered as Document No.1460/1990 dated 17.12.1990. Thereafter, when the petitioner discharged the entire mortgage amount, the second respondent Society also executed a receipt dated 19.02.2026 and also issued a No Due Certificate, dated 16.02.2026. When the receipt was presented for registration, the refusal check slip is now issued. The impugned order reasons that the original mortgage deed is not produced and the reliance is made on Section 34C of the Act.



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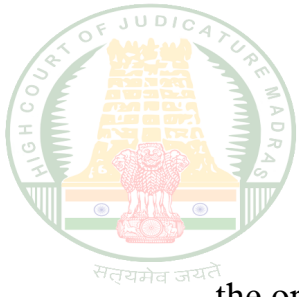
3. When the matter came up for hearing, the learned Government Standing Counsel would not also dispute the fact that the second respondent Society even as on date holds that the entire loan has been discharged and No Objection Certificate as well as the receipt are issued only by them.

4. In view thereof, even on a perusal of Section 34-C of the Act, it is essential to produce the original document through which title is traced. In this case, what is now sought to be registered is only a receipt issued by the 2nd respondent Cooperative Society. The second respondent is also a party to this writ petition and has expressly affirmed that the entire loan has been discharged and the receipt is issued by the 2nd respondent.

5. In view thereof, this writ petition is ordered on the following terms:

(i) The impugned refusal check slip dated 17.02.2026 shall stand set aside.

(ii) Within two weeks from the date of receipt of the web copy of



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the order, the receipt shall be re-presented by the petitioner. Upon which,
the same shall be duly registered in accordance with law.

(iii)No costs.

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NCC:Yes/No

To
1.The Sub Registrar,
Boothapandy,
Kanyakumari District.



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D.BHARATHA CHAKRAVARTHY, J.

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