

W.P.(MD) No.18960 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.07.2026

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.18960 of 2026

Rajeswari

... Petitioner

Vs.

1.The District Registrar,
Kanniyakumari District at Nagercoil.

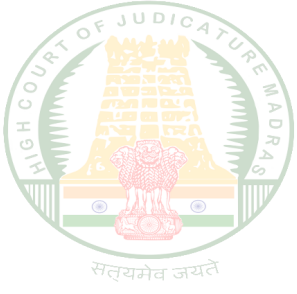
2.The Sub Registrar,
Kottaram Sub Registrar Office,
Kottaram, Kanniyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned refusal check slip issued by the second respondent in Refusal No.RFL/Kottaram/161/2026 dated 18.06.2026, quash the same and consequently direct the second respondent to register the deed of release presented for registration by the petitioner in respect of the properties comprised in R.S.No.1006/4 and 879/17A1A1 situated at Anjugiramam Village, Agasteeswaram Taluk, Kanyakumari District.

For Petitioner : M/s.Priyadharshini

For Respondents : Ms.P.Sudarkodi Natchiar
Counsel for Government of Tamilnadu



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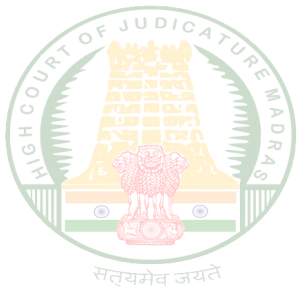
ORDER

The petitioner is before this Court challenging the impugned Refusal Check Slip issued by the second respondent in Refusal No.RFL/Kottaram/161/2026 dated 18.06.2026, declining to register the Release Deed dated 12.06.2026 executed by the petitioner along with her daughter in favour of the petitioner's sons, on the ground of non-production of the original documents under Section 34-C of the Registration Act, 1908.

2. The reasons stated in the impugned Refusal Check Slip are extracted hereunder:

“திருமதி ராஜேஸ்வரி என்பவரால் 18.06.2026 அன்று தாக்கல் ஆவணமானது அஞ்சுகிராமம் கிராமம் நீசர்வே எண் 1006/4 ல் கொண்ட 9.160 சென்று புரயிடம் மற்றும் 879/17A1A1ல் கொண்ட 1.626 சென்று மனையும் கொண்ட விடுதலை ஆவணத்திற்கு முன் ஆவணம் ரவீந்திரன் பெயரிலான 393/2009 ஆவணம் தாக்கல் செய்யப்படவில்லை.

எனவே பதிவுத்துறைத் தலைவர் அவர்களின் சுற்றறிக்கை எண் 25600/சி1/2018, நாள், 02.11.2018 ன்படியும், மேலும் TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY, CHENNAI, FRIDAY, JANUARY 23, 2026 Part IV-Section 2 ACT No.1 of 2026 ல் After section 34-B of the Registration Act, 1908, the following section shall be inserted, namely:-"34-C.Production of Original documents- Notwithstanding anything contained in any other law for the time being in



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force, the registering officer before whoma document relating to immovable property is presented for registration shall not register the same, unless the executants produces the previous original document by which the right over the subject property was acquired by him along with the Encumbrance Certificate pertaining to the subject property obtained within ten days before the date of presentation. இதில் குறிப்பிடப்பட்ட நிலையில் உரிய முன் ஆவணங்களுடன் மீள தாக்கல் செய்ய கேட்டுக்கொள்ளப்படுகிறது.”

3. Both the learned counsel for the petitioner and the learned counsel for the Government of Tamil Nadu appearing for the respondents confirm that the issue is no longer *res integra* and is covered by the decision of the Hon'ble Division Bench of this Court in ***M/s. Dugars v. The State of Tamil Nadu, represented by its Secretary to Government, Registration Department and Others***, rendered on 23.06.2026 in W.P. (MD) No.7415 of 2026 etc. batch, wherein the Hon'ble Division Bench of this Court has declared Section 34-C of the Registration Act, 1908, inserted by the Registration (Tamil Nadu Amendment) Act, 2026, as ultra vires and struck down the same.

4. In light of the above judgment of the Hon'ble Division Bench of this Court, Section 34-C of the Registration Act, 1908, inserted by the Registration (Tamil Nadu Amendment) Act, 2026, has been struck down.



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Therefore, the reason for rejecting the document presented for registration on the ground of non-production of the original documents under Section 34-C of the Registration Act cannot be countenanced. Therefore, the impugned Refusal Check Slip dated 18.06.2026 is quashed. I therefore direct the second respondent to register the Release Deed presented by the petitioner, subject to the petitioner complying with the other requirements of the Act and the Rules made thereunder.

5. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

07.07.2026

JEN

NCC : Yes / No

Index : Yes / No

To

1.The District Registrar,
Kanniyakumari District at Nagercoil.

2.The Sub Registrar,
Kottaram Sub Registrar Office,
Kottaram, Kanniyakumari District.



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C.SARAVANAN, J.

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