



W.P.(MD) No. 20600 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) No. 20600 of 2026

Asmath Hussain

... Petitioner

Vs

1. The District Registrar,  
Ramanathapuram District.

2. The Sub Registrar,  
Sub Registrar Office,  
Keelakarai,  
Ramanathapuram District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the second respondent to register the settlement deed presented in TP/252295244/2026 dated 16.02.2026 in respect of the property in S.No.319/1E, Kanjirankudi Group, Keelakarai Taluk, Ramanathapuram District.

For petitioner : Mr. B.Mahendrarajan

For respondents : Mr.R.Parthiban  
Counsel for State of TN



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### **ORDER**

Mr.R.Parthiban, learned Counsel for State of TN takes notice for the respondents.

2. This Writ Petition is filed for a Mandamus directing the second respondent to register the settlement deed presented in TP/252295244/2026 dated 16.02.2026 in respect of the property in S.No.319/1E, Kanjirankudi Group, Keelakarai Taluk, Ramanathapuram District.

3. The learned counsel for the petitioner would submit that the petitioner's grandmother, namely, Arakkasu Ummal had executed a Settlement Deed in Doc.No.363/1979 dated 24.03.1979 in respect of the property of an extent of 1 acre 28 cents in Survey No.319/1, Kanjirankudi Group, Keelakarai Taluk, Ramanathapuram District, in favour of her son, namely, the petitioner's father, Mohideen Kadar Sahib and thereafter, the patta was mutated in favour of the petitioner's father, who died on 29.04.2008, leaving behind his three sons, two daughters and their mother as legal heirs. After demise of his father, they have



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jointly enjoyed the property without any interference. While being so, the petition, along with his brothers and sisters, decided to execute a Settlement Deed in favour of their mother in respect of the subject property. However, the second respondent refused to register same on the ground that the original parent document, which was executed by the petitioner's grandmother in favour of his father in Doc.No.363/1979 dated 24.03.1979 has not been produced. Despite of repeated request, the second respondent has not issued a Refusal Slip, however, orally rejected to register the Settlement Deed presented by the petitioner. Hence, the petitioner has filed this Writ Petition.

4. At this stage, 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)



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Act, 2026, as ultra vires and struck down the same.

5. In 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. 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.

6. I, therefore, direct the petitioner to present the Settlement Deed dated 16.02.2026 before the second respondent within a period of one week from the date of receipt of a copy of this order. After presentation of the same, the second respondent is directed to register the same, subject to the petitioner complying with the other requirements of the Act and the Rules made thereunder.

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

Index : Yes / No  
Internet : Yes / No  
apd

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To

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Ramanathapuram District.

2. The Sub Registrar,  
Sub Registrar Office,  
Keelakarai,  
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**M.DHANDAPANI, J.**

apd

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