



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2021

CORAM

THE HON'BLE MR. JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD) No.13502 of 2021

WEB COPY

A.Jinnah

... Petitioner

Vs.

1. The District Registrar,
District Registrar Office,
District Collector Office Campus,
Tirunelveli,
Tirunelveli District.

2. The Sub-Registrar,
No.1 Joint Sub Registrar Office,
Palayankottai,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to register the settlement deed presented before the second respondent office dated 27.04.2021 (allotted number: TP/102313752/2021) executed by the petitioner in favour his wife Shajira Begam based on the representation of the petitioner dated 22.07.2021 within the time limit that may be fixed by this Hon'ble Court.

For Petitioner : Mr. S.Sarvagan Prabhu
For Respondents : Mr. P.Subbaraj
Counsel for State

ORDER

The petitioner seeks registration of a Settlement Deed based on the representation dated 22.07.2021. The petitioner executed a Settlement Deed in favour of his wife in respect of his share in the undivided joint family property at Survey No.679 Playamkottai Village, Tirunelveli District.

2. It is stated that an online application was made for registration of the Settlement Deed on 27.04.2021 and that the petitioner was orally informed that such registration could not be effected because the petitioner is not in possession of the original title deeds.

3. Learned counsel for the petitioner relies upon judgements of this Court to contend that the registration authorities are not entitled to insist on the production of the original parent documents.



4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of the respondents and points out that the request for registration has not been refused till date. Therefore, he states that the petitioner's application for registration would be considered and disposed of on merits.

5. Accordingly, without going into the merits of the matter, the second respondent herein is directed to consider the online application dated 27.04.2021 of the petitioner for registration of the Settlement Deed and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner. Such reasoned order shall be passed within a period of 30 days from the date of receipt of a copy of this order.

6. W.P.(MD).No.13502 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

To

1. The District Registrar,
District Registrar Office,
District Collector Office Campus,
Tirunelveli,
Tirunelveli District.

2. The Sub-Registrar,
No.1 Joint Sub Registrar Office,
Palayankottai,
Tirunelveli District.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-25325[F] dated 05/08/2021)

+1 CC to M/s.GP (SR-25518[F] dated 06/08/2021)

W.P.(MD).No.13502 of 2021
05.08.2021

RD(13.08.2021) 2P 5C