



W.P.No.3304 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3304 of 2022

and

W.M.P.No.3440 of 2022

E. Perumal

... Petitioner

Vs.

The Sub-Registrar,
Bhavani,
Erode District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned refusal check slip dated 27.01.2022 in No.RFL/BHAVANI/11/2022 of the respondent and quash the same and consequently direct the respondent to register the settlement deed dated 27.01.2022 executed by the petitioner.

For Petitioner : Mr.A.Mohamed Ismail
For Respondent : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking for quashment of the impugned refusal check slip dated 27.01.2022 and consequently direct the respondent to register the settlement deed executed by the petitioner.



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2. The case of the petitioner is that he is the owner of the properties in Plot No.8 (part), Sivagami Nagar in R.S.No.720 part (Old Survey No.15C, 16) with present Survey No.720/3 by way of registered sale deed. While so, the petitioner executed a settlement deed dated 27.01.2022 in favour of his grand daughter and he approached the respondent and presented the said settlement deed for registration. Upon receiving the said document, the respondent refused to register the same on the ground that the original documents were not produced and returned the document through a refusal check slip No.RFL/BHAVANI/11/2022 dated 27.01.2022. Aggrieved by the refusal, this Writ Petition has been filed.

3. The learned counsel for the petitioner submitted that since there are some family issues between the petitioner and his daughter, she refused to give the original parent document of the disputed property and the petitioner was unable to produce the original parent documents before the respondent. However, the petitioner is now ready to produce the copy of the parent document. Therefore, this Court may issue direction to the respondent to entertain the document furnished by the petitioner without insisting the original document of the disputed property.



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4. The learned Special Government Pleader appearing for the respondent submitted that if the petitioner submits the copy of the parent document, the same will be considered and appropriate orders will be passed on the same in accordance with law.

5. In view of the limited relief sought for by the petitioner, this Court directs the petitioner to produce the copy of the parent document before the respondent within a period of two weeks from the date of receipt of a copy of this order. On such production, the respondent, without insisting the original parent document shall accept the copy of the parent document and entertain the settlement deed and pass appropriate orders in accordance with law.

6. This writ petition is accordingly **disposed of**. No costs. Consequently, connected Miscellaneous Petition is closed.

21.02.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No



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M.DHANDAPANI,J.
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To

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Erode District.

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