

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.17486 and 17491 of 2022

S.Indira ... Petitioner in both the writ petitions

Vs.

The Sub Registrar,  
Velacherry, Chennai. ...Respondent in both the petitions

Prayer in W.P.No.17486 of 2022: Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, Calling for the records relating to the order of the Respondent dated 01.07.2022 in RFL / Velachery / 27 / 2022 and quash the same and consequently direct the Respondent to register the settlement deed dated 01.07.2022 of the petitioner in TP / 124641611 / 2022.

Prayer in W.P.No.17491 of 2022: Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, Calling for the records relating to the order of the Respondent dated 01.07.2022 in RFL / Velachery / 26 / 2022 and quash the same and consequently direct the Respondent to register the settlement deed dated 01.07.2022 of the petitioner in TP / 124777139 / 2022.

For Petitioner : Mr.K.Selvaraj (in both the matters)

For Respondent : Mr.Yogesh Kannadasan, SGP  
(in both the matters)

COMMON ORDER

The petitioner has filed these petitions seeking to quash the orders passed by the Respondent dated 01.07.2022 and consequently, direct the Respondent to register the same.

2. The case of the petitioner is that the petitioners father had purchased the subject properties in they year 1966. During the year 1989, the petitioner's father died and thereafter, a family partition has been made and the petitioner

became the absolute owner of the schedule C property in the Family Arrangement. On 28.10.2004, the petitioner has executed a settlement deed in favour of her daughter and the same was registered. On 09.03.2017, the petitioner was executed a settlement deed in favour of her daughter and also paid the registration charges. However, the respondent has refused to register the same on the ground that the parent document of the subject property has not been produced. Challenging the said refusal check slip, the present writ petitions have filed before this Court.

3. The learned counsel for the petitioner submitted that this Court may permit the petitioner to represent the necessary documents before the respondent and direct the respondent to entertain the same and pass appropriate orders as per the Registration Act within the stipulated period as fixed by this Court.

4. The learned Special Government Pleader submitted that if the petitioner will produce the necessary document to prove his title, registration will be made in accordance with law within the reasonable time as fixed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, permits the petitioner to re-present all the necessary documents along with a copy of this order for registration before the respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such documents, the respondent shall entertain the same which will be presented by the petitioner and pass appropriate after collecting necessary stamp duty and registration charges, within a period of twelve weeks from the date of receipt of copy of this order.

7. With the above direction, these writ petitions are disposed of. No order as to costs.

s/d-

Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

rli  
To

The Sub Registrar,  
Office of the Sub Registrar,  
Velacherry, Chennai.

+2cc to Mr.K.Selvaraj, Advocate Sr.43870  
+1cc to the Government Pleader Sr.44918

W.P.Nos.17486 and 17491 of 2022

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srg 11/07/2022