



W.P(MD)No.19334 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19334 of 2022

K.Peruchi

... Petitioner

Vs.

The Sub Registrar,
Sub Registrar Office,
Karukalakudi,
Melur Taluk,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned refusal slip in RFL/Karungalakudi/1/2022 dated 10.08.2022, on the file of the respondent and quash the same as illegal and consequently direct the respondent to register the documents presented by the petitioner for registration without insisting for the production of original document .

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondent : Mr.K.S.Selvaganesan
Additional Government Pleader



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ORDER

Heard the learned counsel on either side.

2. The petitioner presented the petition mentioned settlement deeds for registration before the respondent. The respondent declined to entertain the same and issue the impugned refusal check slip on the ground that the original document had not been produced. Challenging the impugned refusal check slip, the present writ petition has been filed.

3. The petitioner is a 75 years old senior citizen. He wants to settle the properties in question in favour of his sons. According to him, the parent deed had been lost and that he had complied with the usual formalities of lodging a police complaint and he had also given a paper publication.

4. The District Registrar (Administration), Madurai North, had given a communication dated 30.06.2022 indicating the procedure that the petitioner will have to adopt. All the said procedures had been adhered to by the writ petitioner. A learned Judge of this Court vide order dated 11.2.2021 in W.P. (MD)No.19745 of 2020 had held that on the ground that the original parent deed had not been produced, the registering authority cannot decline to register the document.



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5. Respectfully following the same, the impugned refusal check slip is set aside. The petitioner is permitted to re-present the document and the respondent is directed to register the same subject to fulfilment of the other usual formalities without insisting on the production of the original parent document.

6. The Writ Petition stands allowed. No costs.

24.08.2022

Index : Yes / No
Internet : Yes/ No
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To

The Sub Registrar,
Sub Registrar Office,
Karukalakudi,
Melur Taluk,
Madurai.



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G.R.SWAMINATHAN, J.

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