



WEB COPY

W.P.No.13092 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 05.07.2023**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.No.13092 of 2023**

K.Kumar

... Petitioner

Vs.

The Sub Registrar,  
Purasawalkam – Perambur Taluk,  
Anna Nagar Sub-Registrar Office,  
Chennai – 600 040.

... Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling records on the file of the respondent Refusal Check Slip No. RFL / Anna Nagar / 30 / 2023 dated 28.03.2023 and quash the same and consequently issue direction directing the respondent herein to register the settlement deeds of the property situated at Block No.20, Survey No.39, Sub Division No.5, Old No.111, New No.111/1, 2, Palani Andavar Koil Street, Ayanavaram, Chennai – 600 023, having an extent of about 2330 sq. ft. Purasawalkam-Perambur Taluk, Anna Nagar Sub-Registrar office, Central Chennai Registration District.



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|----------------|--------------------------------------------------|
| For Petitioner | : Ms.M.Rakhi                                     |
| For Respondent | : Mr.D.Ravichander<br>Special Government Pleader |

## **ORDER**

The refusal check slip dated 28.03.2023 is sought to be quashed in the present writ petition.

2. The petitioner presented settlement deed for registration. The Sub-Registrar returned the document by citing Rule 55-A(1) of the Indian Registration Rules and by stating that the petitioner has to produce Encumbrance Certificate pertaining to the property obtained within ten days from the date of presentation.

3. The learned counsel for the petitioner states that the petitioner is ready and willing to produce the Encumbrance Certificate as claimed by the Sub-Registrar. However, the Sub-Registrar is proposing to raise further objections. This Court cannot presume the objections proposed to be raised by the Registering Authority and if any other objections are raised, it is for the petitioner to comply with the same and represent the document for registration.



4. Authorities Competent are bound to scrutinise the documents carefully and register the same scrupulously by following the Acts and Rules.

This being the duty obligated on the Registering Authority, the petitioner is at liberty to produce the Encumbrance Certificate pertaining to the property obtained within ten days from the date of presentation and on such production, the respondent shall proceed with the registration, if the documents are otherwise in accordance with the provisions of the Act and Rules.

5. Accordingly, the impugned order passed by the respondent / Sub Registrar in Refusal Check Slip No. RFL / Anna Nagar / 30 / 2023 dated 28.03.2023 is quashed and the Writ Petition stands allowed. No costs.

**05.07.2023**  
(2/2)

Jeni  
Index : Yes  
Speaking order  
Neutral Citation : Yes



To

The Sub Registrar,  
Purasawalkam – Perambur Taluk,  
Anna Nagar Sub-Registrar Office,  
Chennai – 600 040.

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**S.M.SUBRAMANIAM, J.**

Jeni

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