



W.P.No.18470 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.18470 of 2023

M.Palani

... Petitioner

Vs.

1. The Inspector General of Registration,
No 100, Santhome High Road,
Chennai 600 028

2. The Sub Registrar,
Kundrathur.

3. K.P. Chandrasekar

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the Refusal Check Slip vide Refusal Number RFL / Kundrathur / 32 / 2022 dated 02.12.2022 issued by the 2nd respondent and quash the same and further direct the 2nd respondent to entertain the registration of settlement deed by petitioner without insisting for the original parent documents.



W.P.No.18470 of 2023

For Petitioner : Mr.V.M.Venkatramana
For Respondents :
(for R1 & R2) : Mr.D.Ravichander, Spl.Govt.Pleader
(for R3) : Mrs.S.Vetriselvi for
Mr.K.Anbu Selvan

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ORDER

The Refusal Check Slip issued by the Sub Registrar, returning the documents presented by the writ petitioner for registration, is under challenge in the present writ petition.

2. The petitioner presented Settlement Deed for registration. The Sub Registrar returned the document on the ground that the petitioner has not produced the original document. The learned counsel for the petitioner states that the certified copy of the title documents are available and the petitioner is ready and willing to produce the same for verification.

3. It is brought to the notice of this Court that the Original Settlement Deed executed by the petitioner was cancelled under the provisions of the Senior Citizen Act by the competent authority by order dated 11.9.2021. Thus, the petitioner is unable to get back the original documents. Thus, the Registering Authority shall proceed with the registration by accepting the



W.P.No.18470 of 2023

certified copy of the document.

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4. Accordingly, the petitioner is at liberty to submit the certified copy of the title document before the Registering Authority, who in turn, on receipt of the same shall proceed with the registration by following the procedures as contemplated. The said exercise is directed to be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

5. Thus the impugned order passed by the 2nd respondent in the Refusal Check Slip vide Refusal Number RFL / Kundrathur / 32 / 2022 dated 02.12.2022 is quashed.

6. Accordingly, the Writ Petition stands **allowed**. However, there shall be no order as to costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

24.07.2023



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W.P.No.18470 of 2023

S.M.SUBRAMANIAM. J.,

(sha)

To

1. The Inspector General of Registration,
No 100, Santhome High Road,
Chennai 600 028

2. The Sub Registrar,
Kundrathur.

W.P.No.18470 of 2023

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