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W.P.No.22840 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22840 of 2023

U.Usha

...Petitioner

-Vs-

The Joint -II, Sub Registrar,
Office of the Sub-Registrar,
Chengalpet, Chengalpet District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to quash the refusal letter bearing Refusal Number.RFL/CHENGALPET JOINT II/8/2023 dated 11/04/2023 issued by the respondent and direct the Sub Registrar, Office of the Joint-II, Sub Registrar, Chengalpet to entertain the petitioner's application to register the settlement deed executed by the petitioner to her daughter Ms.U.Priyadharshini residing at G Block - 54, Reserve Bank Staff Quarters, Kamraj Salai, K.K.Nagar, Chennai - 600 078.



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For Petitioner : Mr.R.Eswaran
for M/s.Swaraj Associates
For Respondent : Mr.C.Jayaprakash,
Government Advocate

ORDER

The impugned refusal check slip dated 11.04.2023 is sought to be quashed in the present Writ Petition.

2. The learned counsel for the petitioner states that the petitioner is the absolute owner of the subject property more fully described in the Writ Petition. The petitioner presented a settlement deed for registration, which was returned by the Registering Authority on the ground that the petitioner has failed to produce the original document for verification. The learned counsel also submits that the original documents are not available with the petitioner and she is ready and willing to produce the certified copy of the document for registration.

3. There is no impediment for the Registering Authority to verify the certified copy of the document for the purpose of proceeding with the registration.



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4. In view of the facts and circumstances, the impugned refusal check slip dated 11.04.2023 is quashed. Consequently, the petitioner is at liberty to produce the certified copy of the title document and on such production, the respondent shall proceed with the registration by following the procedures as contemplated under the Act and Rules. The said exercise is directed to completed within a period of four weeks from the date of receipt of a copy of this order.

5. With the above observations, the Writ Petition stands allowed. No costs.

03.08.2023

Index: Yes/No

Neutral Citation: Yes/No

Speaking order/Non-speaking order

hvk

To

The Joint -II, Sub Registrar,
Office of the Sub-Registrar,
Chengalpet, Chengalpet District.



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S.M.SUBRAMANIAM, J.

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