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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.19120 of 2023

1.Salammal

2.Kuppammal

.. Petitioners

vs.

1.The Inspector General of Registration
Registration Department
Government of Tamil Nadu
Santhome
Chennai-600 004.

2.The Sub-Registrar
Mecheri Sub Registration Office
Mecheri-636 453
Mettur Taluk
Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned refusal order dated 24.05.2023 in Refusal No.RFL/MECHERI/9/2023 passed by the 2nd respondent and quash the same, consequently direct the 2nd respondent to register the settlement deed of the petitioners dated 24.05.2023 for its registration forthwith.

For Petitioners : Mr.M.R.Jothimanian

For Respondents : Mr.G.Krishnaraja
Additional Government Pleader

**ORDER**

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The petitioner has assailed the refusal cheque slip issued by the 2nd respondent dated 24.05.2023, refusing to register the settlement deed that was presented by the petitioners for registration on the ground that the original title deed was not produced by the petitioners.

2.Heard Mr.M.R.Jothimanian, learned counsel for the petitioners and Mr.G.Krishnaraja, learned Additional Government Pleader for the respondents.

3.The issue involved in the present writ petition is squarely covered by the earlier Order passed by this Court in WP(MD).No.7420, dated 25.06.2021. This Court took into consideration the earlier order passed in **Sivanadiyan v. Sub-Registrar, Pudukottai District** reported in (2021) 2 CTC 526 and interfered with the refusal cheque slip on the ground that the Sub-Registrar is not vested with the power or jurisdiction to insist for the production of the original documents. This order will squarely cover the issue involved in the present writ petition.

4.In the light of the above discussion, the impugned refusal cheque slip issued by the 2nd respondent dated 24.05.2023 is set aside and there shall be a direction to the 2nd respondent to register the settlement deed presented by the petitioners, if it is otherwise in order.



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5. In the result, this writ petition is allowed in the above terms. No costs.

27.06.2023

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Index : Yes/No
Internet : Yes/No
Neutral Citation Case: Yes/No
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To

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N. ANAND VENKATESH, J.

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