



W.P.Nos.24768 & 24771 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2023

CORAM

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

W.P.Nos.24768 and 24771 of 2023

Samathal @ Samiathal

...Petitioner (in both WPs)

-Vs-

The Joint Sub-Registrar No.1,
Registration Department,
Gobichettipalayam,
Erode District.

...Respondent (in both WPs)

Prayer in W.P.No.24768 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned "Refusal Check Slip" No.RFL/No.1 Joint Sub-Registrar/Gobichettipalayam/113/2022 dated 26.12.2022 issued by the Respondent herein, quash the same and consequently direct the Respondent herein to register the Settlement Deed dated 26.12.2022 executed by the Petitioner herein to and in favour of her son G.P.Eswaramurthy within a stipulated period.

Prayer in W.P.No.24771 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified



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Mandamus, calling for the records relating to the Impugned "Refusal Check Slip" No.RFL/No.1 Joint Sub-Registrar/Gobichettipalayam/113/2022 dated 26.12.2022 issued by the Respondent herein, quash the same and consequently direct the Respondent herein to register the Settlement Deed dated 26.12.2022 executed by the Petitioner herein to and in favour of her son G.P.Viswanathan within a stipulated period.

(in both WPs)

For Petitioner : Mr.K.Govi Ganesan

For Respondent : Mr.T.Arun Kumar
Additional Government Pleader

COMMON ORDER

The refusal check slips dated 26.12.2022 passed by the Joint Sub Registrar No.1, Gobichettipalayam, Erode District are under challenge in the present writ petitions.

2. The petitioner states that she is the absolute owner of the property bearing D.No.4, Jothi Nagar Extension, Gobichettipalayam together with the land therein site No.6, measuring an extent of 1815 square feet situated at S.F.No.229, Veerapandi Revenue Village, Gobichettipalayam.



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3. The petitioner presented the settlement deeds for registration. The Joint Sub Registrar returned the documents on the grounds that the petitioner has failed to produce the original title deed.

4. The learned counsel for the petitioner states that the petitioner has already produced the certified copy of the title documents, since the original documents are not available with her.

5. There is no impediment for the Joint Sub Registrar to verify the certified copy of the title documents and proceed with the registration. Since there is other dispute or anomalies found in respect of the documents presented by the presentant, the Joint Sub Registrar shall verify the certified copy of the documents for the purpose of completing the registration.

6. Accordingly, the impugned refusal check slips passed by the respondent dated 26.12.2022 are quashed. Consequently, the petitioner is at liberty to furnish the certified copy of the title documents, which shall be verified by the respondent and on such production, the respondent shall



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proceed with the registration by following the procedures as contemplated and complete the same within a period of four weeks from the date of receipt of a copy of this order.

7. With the above observations, both the Writ Petitions stand allowed.

No costs.

23.08.2023

Index:Yes
Speaking order
Neutral Citation:Yes
rjr/hvk

To

The Joint Sub-Registrar No.1,
Registration Department,
Gobichettipalayam,
Erode District.



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S.M.SUBRAMANIAM, J.

rjr/hvk

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23.08.2023