



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25281 of 2023

K.M.Palanisamy

... Petitioner

Vs.

The Sub-Register
Registration Department
Punjai Puliampatti
Erode District

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned “Refusal Check Slip” No.RFL/Punjai Puliampatti/15/2023 dated 07.08.2023 issued by the respondent herein, quash the same and consequently direct the respondent herein to register the Settlement Deed dated 07.08.2023 executed by the petitioner to and in favour of his son P.Sathish within a stipulated period.

For Petitioner

: Mr.K.Govi Ganesan

For R1 & R2

: Mr.C.Jayaprakash
Government Advocate



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ORDER

The impugned refusal check slip issued by the respondent in proceedings RFL/Punjai Puliampatti/15/2023 dated 07.08.2023 is sought to be quashed in the present writ petition.

2. The petitioner states that he is the absolute owner of the agricultural lands more fully described in the present writ petition. The petitioner presented a settlement deed for registration to register the subject property in favour of his son Mr.P.Sathish. The settlement deed presented for registration has been returned along with impugned refusal check slip on the ground that petitioner has failed to produce the original title document.

3. The learned counsel for the petitioner submitted that original title document is not available with the petitioner since there was no transfer of property for long years. However, the petitioner has already produced the certified copy of the title document for verification. There is no impediment for the registering authority to verify the genuinity of the certified copy of the title document produced for the purpose of proceeding with the registration. Since the petitioner has stated that he has already produced the certified copy



of the title document, the Registering Authority can verify the genuinity of the certified copy of the document and proceed with the registration by following the procedure.

Accordingly, this writ petition is allowed and the impugned refusal check slip issued by the respondent in proceedings RFL/Punjai Puliampatti/15/2023 dated 07.08.2023 is quashed. The respondent is directed to proceed with the registration of the settlement deed by following the procedure and complete the same within four weeks from the date of receipt of a copy of this order. No costs.

28.08.2023

Index : Yes
Speaking order
Neutral Citation : No
gpa

To

The Sub-Register
Registration Department
Punjai Puliampatti
Erode District



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S.M.SUBRAMANIAM, J.

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