



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25923 of 2023

Mallika

... Petitioner

Vs.

1. The Sub-Registrar
Mangalam Sub Registrar Office,
Mangalam,
Tiruvannamalai District

2. Manickavel

3. Kala

... Respondents

Prayer: writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the entire records in Refusal check slip Number: RFL/Mangalam 62/2023 dated 24.08.2023 on the file of the respondent and quash the same and consequently directing the 1st respondent to register the settlement deed presented by Mallika dated 24.08.2023 in favour of Elumalai for registration without insisting for the production of the original parent document No.1072/1971 and 591/1983.

For Petitioner

: Mr.M.Mariappan

For Respondents

: Mr.E.Sundaram
Government Advocate



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W.P.No.25923 of



ORDER

The impugned refusal check slip issued by the Sub Registrar in proceedings dated 24.08.2023 is under challenge in the present writ petition.

2. The petitioner states that she has inherited the property from her father through a settlement deed. The petitioner has presented a settlement deed for registration before the first respondent. The first respondent returned the document along with the impugned refusal check slip on the ground that the petitioner has failed to produce the original document for verification.

3. Under Rule 55A of the Registration Rules, the registering authority is empowered to verify the certified copy of the title document for the purpose of proceeding with the registration. In other words, there is no impediment for the registering authority to accept the certified copy of the title document for verification and to proceed with the registration.

4. The learned counsel for the petitioner states that the petitioner is ready to furnish the certified copy of the title documents for verification before the Sub Registrar.



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5. In view of the said submission, the petitioner is at liberty to submit the certified copy of the title document for verification and on receipt of such copy, the Sub Registrar shall ascertain the genuinity of the same and accordingly, proceed with the registration by following the procedures as contemplated.

6. In view of the facts and circumstances, the impugned refusal check slip issued by the first respondent in Refusal check slip Number: RFL/Mangalam 62/2023 dated 24.08.2023 is quashed and the first respondent is directed to proceed with the registration by verifying the certified copy of the title document to be produced by the petitioner and complete the process within a period of four (4) weeks from the date of receipt of a copy of this Order.

7. Accordingly, the writ petition stands allowed. No costs.

05.09.2023

nl

Index : Yes



Speaking order

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W.P.No.25923 of



To

1. The Sub-Registrar
Mangalam Sub Registrar Office,
Mangalam,
Tiruvannamalai District



WEB COPY

W.P.No.25923 of



S.M.SUBRAMANIAM, J.

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W.P.No.25923 of 2023

05.09.2023



WEB COPY

W.P.No.25923 of

