



W.P(MD)No.462 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.462 of 2022

Sankaran

... Petitioner

Vs.

The Sub Registrar,
Sub Registrar Office,
Ambasamudram,
Tirunelveli District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned Refusal Check Slip in Refusal Number RFL/Ambasamudram/27/2021 dated 10.11.2021 passed by the Respondent herein and quash the same as illegal and further direct the Respondent herein to register and release the document bearing temporary No.TP/106846474/2021 dated 10.11.2021 in the light of the order passed in K.S.Vijayandran -Vs- I.G. of Registration reported in 2011 (2) LW 648, within a time stipulated by this Court.

For Petitioner : no appearance

For Respondent : Mr.K.Balasubramani
Special Government Pleader



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ORDER

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None appears for the petitioner.

2. The counsel who filed the writ petition is said to have returned the papers.

3. I went through the affidavit filed in support of the writ petition. It is seen that the petitioner presented the petition mentioned settlement deed for registration. The respondent returned the document and issued the impugned refusal check slip. The reason set out therein is that the petitioner failed to produce the parent document for verification. It has been held in the decision reported in **2021 (2) CTC 526 (Sivanadiyan Vs. I.G of Registration)** that the registering authority cannot insist on production of the original parent document.

4. Respectfully applying the said decision, the impugned refusal check slip is quashed. The petitioner is permitted to re-present the document for registration. The respondent will receive the same and register it subject to fulfilment of other usual formalities.

5. The Writ Petition is allowed. No costs.

05.10.2023

Index : Yes / No

Internet : Yes/ No

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To

The Sub Registrar,
Sub Registrar Office,
Ambasamudram,
Tirunelveli District.



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G.R.SWAMINATHAN, J.

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