



W.P(MD)No.27709 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.27709 of 2023

and

W.M.P.(MD)No.23834 of 2023

T.Janaky

... Petitioner

**Vs.**

1.The Inspector General of Registration,  
Office of the Inspector General of Registration,  
Santhome,  
Chennai-600 004.

2.The Sub-Registrar,  
Alankulam Sub-Registrar Office,  
Alankulam,  
Tenkasi District.

3.The District Registrar (Administration)  
Registration Department,  
Tenkasi.  
(R3 is suo motu impleaded by this  
Court vide order dated 14.12.2023)

... Respondents

**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 relating to the order / Check Slip in RFL/Alangulam/43/2023, dated 31.10.2023, issued by the 2nd respondent and quash the same directing the 2nd respondent to register the document namely the Settlement Deed dated 31.10.2023, presented for registration by the petitioner and return the document to the petitioner after completing all the formalities of the registration.



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For Petitioner : Mr.Ralph V.Manohar

For Respondents : Mr.S.Ra.Ramachandran  
Additional Government Pleader

### ORDER

Heard both sides.

2. The petitioner wants to settle the petition mentioned property in favour of her daughter Grace Ranjini and Christy Jone. The settlement deed was presented for registration before the second respondent. Registration was refused on the ground of non-production of the original parent document. The refusal check slip was issued to that effect. Challenging the same, the present writ petition came to be filed.

3. The learned counsel for the petitioner submits that the original document is in the custody of the petitioner's son who is refusing to part with the same. He appears to be having grievance with the mother for settling the property in favour of the daughters.

4. The petitioner is permitted to resubmit the document before the second respondent either in person or an authorised representative. The second respondent will forward the papers and document to the third respondent. The third respondent will hold an enquiry. The petitioner shall appear before the third respondent on the enquiry date and explain as to the whereabouts of



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the document. Notice will be issued to the petitioner's son. If the third respondent is satisfied that the petitioner's son is wilfully refusing to part with the document, the third respondent will issue appropriate instructions to the second respondent for registering the petition mentioned settlement deed. Based on the instructions to be given by the third respondent, the second respondent will carry out the registration. The petitioner of-course has to fulfill the other usual formalities pertaining to registration. This entire exercise shall be completed within a period of twelve weeks from the date of re-submission of the petition mentioned settlement deed.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

**14.12.2023**

Index : Yes / No  
Internet : Yes/ No  
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To

1.The Inspector General of Registration,  
Office of the Inspector General of Registration,  
Santhome,  
Chennai-600 004.

**G.R.SWAMINATHAN, J.**



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2.The Sub-Registrar,  
Alankulam Sub-Registrar Office,  
Alankulam,  
Tenkasi District.

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