



W.P.(MD)No.30598 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 21.12.2023**

**CORAM**

**THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.30598 of 2023**

L.Meenakshy

... Petitioner

v.

The Sub Registrar,  
Office of the Sub Registrar,  
Tallakulam,  
Madurai – 625 002,  
Madurai.

... Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent office proceedings pertaining to the Check Slip Memo RFL/Tallakumlam/23/2023 dated 18.12.2023 set aside the same as illegal consequently direct the respondent registrar to register the settlement document without insisting on the production of parent document.

For Petitioner : Mr.Henri Patrick Tiphange

For Respondent : Mr.V.Nirmal Kumar  
Government Advocate



W.P(MD)No.30598 of 2023

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## **ORDER**

Heard both sides.

2.The petitioner is a senior citizen. She presented the petition-mentioned settlement deed for registration before the respondent. The petitioner wants to settle the petition-mentioned property in favour of her daughter. On the ground that the parent deed was not produced, registration was refused. Challenging the refusal check slip issued by the respondent, this writ petition came to be filed.

3.When the matter was taken up for hearing, the learned counsel for the petitioner submitted that the document had been stolen by one Paramasivan S/o. Palavesam and that in this regard, Crime No.23 of 2023 was registered on the file of the City Crime Branch, Madurai City and that the accused was arrested on 14.12.2023. In this regard, paper publication has already been made. Copy of the same has been enclosed in Page No.99 of the typed set of papers. The learned counsel for the petitioner submitted that since the original document is now in the custody of the accused, it is not possible for the petitioner to produce the same before the respondent.



**W.P(MD)No.30598 of 2023**

4. Production of the original deed is not possible. The petitioner is permitted to re-present the document. The respondent is directed to register the petition-mentioned settlement deed and release it subject to the fulfilment of the other usual formalities.

5. This writ petition is allowed on these terms. There shall be no order as to costs.

**21.12.2023**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
MGA

**Note : Issue order copy by 22.12.2023**

**To**

The Sub Registrar,  
Office of the Sub Registrar,  
Tallakulam,  
Madurai – 625 002,  
Madurai.



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W.P(MD)No.30598 of 2023

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

MGA

W.P.(MD)No.30598 of 2023

21.12.2023