



W.P(MD)No.30665 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.12.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30665 of 2023

Murugesan

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2.The Sub Registrar,
Sub Registrar Office,
Mukkoodal, Tirunelveli District.

3.The Inspector of Police,
Pappakudi Police Station,
Tirunelveli District.

***(R.3 is suo motu impleaded vide
order of this Court dated 21.12.2023)***

... 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 pertaining to the impugned Refusal Check Slip issued by the second respondent in Refusal Number RFL / Mukoodal /68/2023, dated 04.10.2023, quash the same and consequently direct the second



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respondent to register the settlement deed dated 04.10.2023 executed by the petitioner in favour of his wife.

For Petitioner : Mr.S.S.Thesigan

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R.1 to R.2

Mr.A.Albert James
Government Advocate for R.3

ORDER

Heard both sides.

2.The petitioner wants to settle the petition mentioned property in favour of his wife. The settlement deed was presented for registration before the second respondent. Registration was refused on the ground that the parent document, namely, the release deed executed in favour of the petitioner could not be produced in original. Challenging the same, the present writ petition came to be filed.

3.The learned counsel appearing for the petitioner states that the release deed has been lost and that the petitioner has also given a complaint before the third respondent in this regard.



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4.The third respondent is directed to enquire into the petitioner's complaint dated 07.09.2023 and if he comes to the conclusion that the document is not traceable, he shall issue "Non Traceable Certificate" to the petitioner within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to comply with the other formalities such as paper publication as required under the Second proviso Rule 55A of the Registration Rules. Subject to the petitioner producing the Non Traceable Certificate and complying with the other formalities setout above, the re-presented settlement deed shall be received, registered and released.

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

21.12.2023

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



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G.R.SWAMINATHAN, J.

MGA

To

- 1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.
- 2.The Sub Registrar,
Sub Registrar Office,
Mukkoodal,
Tirunelveli District.
- 3.The Inspector of Police,
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