



W.P.No.1730 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.1730 of 2024

Saroja

... Petitioner

Vs.

The Sub Registrar,
The Sub Registrar office,
Pammal,
Thiruneermalai Main Road,
Pammal, Chennai 600 075.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned Refusal Check Slips vide Refusal No.RFL/Pammal/20/2023 and RFL/Pammal/21/2023 dated 24.11.2023 issued by the respondent herein and quash the same and consequently direct the respondent to register the settlement deeds dated 24.11.2023 executed by the petitioner in favour of her daughter Mrs.Geetha.

For Petitioner : Mr.D.Alexis Sudhakar

For Respondent : Mrs.V.Yamunadevi
Special Government Pleader



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ORDER

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This Writ Petition has been filed to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned Refusal Check Slips, vide Refusal No.RFL/Pammal/20/2023 and RFL/Pammal/21/2023 dated 24.11.2023 issued by the respondent herein and to quash the same and consequently direct the respondent to register the settlement deeds dated 24.11.2023 executed by the petitioner in favour of her daughter.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent and perused the materials available on record.

3. Learned counsel for the petitioner submitted that since the petitioner has not produced original parent document for registration of the document in question, the respondent issued the impugned refusal check slip.



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4. Admittedly, the petitioner presented the settlement deed dated 24.11.2023 for registration before the respondent. The respondent issued the refusal check slip for the reason that the original document has to be annexed with the application. Aggrieved by the said order, the petitioner has filed the present writ petition. On a reading of Rule 55(A)(i) of the Registration Rules, the original document has to be annexed with the application at the time of registering the document. As per Rule 55(A)(i) of the Registration Rules, unless the original parent documents are produced before the Registrar, the Registrar shall not register the document. In this case, the petitioner has stated that the original document has been misplaced. There is no perversity in the impugned order passed by the respondent. The petitioner is directed to comply with the proviso 2 to 4 of Rule 55(A)(i) of Registration Rules.



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5. With the abovesaid direction, the Writ Petition is disposed of.

There shall be no order as to costs.

30.01.2024

mfa

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

The Sub Registrar,
The Sub Registrar office,
Pammal,
Thiruneermalai Main Road,
Pammal, Chennai 600 075.



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P.VELMURUGAN, J.

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