



WEB COPY



W.P.No.13335 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.13335 of 2023

R.Rita

.. Petitioner

Vs

1.The Inspector General of Registration
O/o.The Inspector General of Registration
100, Santhome Highway, Chennai 600 028

2.The Sub Registrar
Walajabad Sub Registrar Office
Walajabad Taluk, Kancheepuram District
3.C.Manthiramoorthi

4.P.Rajagopal

5.P.Sivasubbu

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records relating to the impugned refusal slip refusal number in RFL/Walajabad/6/2023 dated 13.04.2023 issued by the 2nd respondent and quash the same and to consequently direct the 2nd respondent to register the Settlement Deed dated 13.04.2023 executed by the petitioner in respect of the property measuring 67 cents comprised in patta No.1654, S.No.543/6A, situated at Uthukkadu Village-B, Walajabad Taluk, Kancheepuram District.

For Petitioner : Mr.G.Peranban

For R1 and R2 : Mr.J.Ravindran

Additional Advocate General

Assisted by Mr.Yogesh Kannadasan

Special Government Pleader



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For R3 and R4 : Mr.M.Vijay Mehanath
For R5 : No appearance

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ORDER

Challenging the impugned refusal check slip dated 13.04.2023 passed by the 2nd respondent in No. RFL/Dharapuram/25/2023 and also for a consequential direction to the 2nd respondent to register the Settlement Deed dated 13.04.2023 executed by the petitioner in respect of the property measuring 67 cents comprised in patta No.1654, S.No.543/6A, Uthukkadu Village-B, Walajabad Taluk, Kancheepuram District, this writ petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents and perused the materials placed on record.

3. It is the case of the petitioner that she has originally purchased 2.67 acres during 1993 and out of the said 2.67 acres, in respect of 2 acres, she executed a Sale Agreement on 05.12.2011 in favour of the 3rd respondent and handed over the Title Deed to him; taking advantage of the possession of the said Title Deed, the 3rd respondent in collusion with the 4th respondent, executed a Sale Deed in their favour; in order to safeguard the remaining 67 cents of land,



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the petitioner executed a Settlement Deed in her daughter's favour and when the same was presented for registration along with a certified copy of its Title Deed, the said Settlement Deed was rejected on the ground that the original Title Deed has not been produced. Hence, the present writ petition.

4. Learned counsel appearing for the respondents 3 and 4 submitted that the original Title Deed has been already handed over to the respondents 3 and 4, at the time of sale of 2 acres in their favour.

5. As the original Title Deed was handed over to the earlier purchasers, production of the same does not arise. Such being the case, the 2nd respondent can very well verify the title, by way of a certified copy. Hence, the impugned order passed by the 2nd respondent is set aside and the 2nd respondent is directed to register the Settlement Deed dated 13.04.2023, executed by the petitioner, within a period of fifteen days from the date of receipt of a copy of this order.

With the above direction, this writ petition is allowed. No costs.

11.06.2024

gya

Neutral Citation : Yes/No

N.SATHISH KUMAR, J.



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To

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