



W.P.No.20401 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.20401 of 2024

Shanthi

.. Petitioner

Vs

The Sub Registrar
Avinashi Sub Registrar Office
Tiruppur District

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned refusal check slip dated 03.07.2024 in RFL/Avinashi/46/2024 made by the respondent, quash the same and consequently direct the respondent to register and release the settlement deed dated 03.07.2024.

For Petitioner	:	Mr.R.Prabakar
For Respondent	:	Mr.M.Shajahan Special Government Pleader

ORDER

With the consent of both sides, the Writ Petition is taken up for final



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disposal at the admission stage itself.

2. Challenging the impugned Refusal Check Slip dated 03.07.2024

passed by the respondent, this writ petition has been filed.

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

4. The case of the petitioner is that when the Settlement Deed dated 03.07.2024 executed by her in favour of her children, has been presented for registration, the same has been refused by the respondent, on the ground that the original parent document has not been produced. Hence, the present Writ Petition.

5. Since the issue as to whether a document can be refused to be registered on the ground of non-availability of original parent document, has already been decided by this Court in ***Federal Bank Vs. Sub Registrar and Others [(2023)2 CTC 289]*** and also in ***Subramani Vs. The Sub Registrar, Rasipuram and Another (W.P.No.11056 of 2024 decided on 26.04.2024)***, there is no requirement to get counter affidavit from the respondent.



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6. Following the above decisions, the impugned order passed by the respondent is set aside and the respondent is directed to register the Settlement Deed of the petitioner, within a week's time from the date of receipt of a copy of this order.

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

25.07.2024

gya

Index : Yes/No

Neutral Citation : Yes/No

To
The Sub Registrar
Avinashi Sub Registrar Office
Tiruppur District



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N.SATHISH KUMAR, J.

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