



W.P.No.33003 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.11.2024

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 33003 of 2024

Lakshmi

...Petitioner

Vs.

The Sub Registrar
Joint Sub Registrar Office,
Salem (East) District

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus calling for records on the file of the respondent impugned Refusal Check Slip No RFL / 1 Joint Sub Registrar Salem East / 177 / 2024 dated 17.10.2024 quash the same and consequently direct the respondent to register the settlement deed dated 17.10.2024 by verifying the certified copy of the parent



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document bearing No 2108 / 1986 and encumbrance certificate without insisting for original parent Deed.

For Petitioner : Mr. T.N.Rangeshkanna
For Respondent : Mr. M.Shahjahan
Special Government Pleader.

ORDER

Challenging the refusal check slip issued to her, the petitioner is before this Court.

2. It is the case of the petitioner that the property which is the subject matter of the Writ Petition was jointly purchased by her and her co-sister under a sale deed dated 28.08.1986, measuring an extent of 720 sq.ft., in S.No.84/4, T.S.No.99/2, 101/2, Thathampatti Village, Salem East, Salem District.



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3. The petitioner would submit that a joint patta has been issued in respect of the same. Both the purchasers have executed a settlement deed dated 17.10.2024 in favour of their son's, namely, Shanmugasundaram and Jegadeesan. However, the respondent has issued refusal check slip stating that the parent document has not been submitted. Therefore, the petitioner is before this Court.

4. Heard the learned counsels on the either side and perused the records.

5. It is time and again held by this Court that the registering authority cannot refuse to register the document for non-production of the parent document. Further, the settlement deed has traced the title to the property and the parent document has been registered in the office of the respondent. It is well open to the respondent to verify the



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same if he so requires.

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6. Therefore, the writ petition is allowed. The refusal check slip dated 17.10.2024 is quashed. The respondent is directed to register the settlement deed, within a period of 2 weeks, from the date of receipt of a copy of this order and on the petitioner representing the document. No costs.

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Index : Yes/No
Internet : Yes/No
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To

The Sub Registrar
Joint Sub Registrar Office,
Salem (East) District.



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P.T. ASHA, J,

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