



W.P.No.33970 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 33970 of 2024

Theivathal

...Petitioner

Vs.

The Sub-Registrar
Kaniyur,
Udumelpettai Taluk,
Tiruppur District

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned refusal check slip No. RFL/Kaniyur/29/2024 dated 15.10.2024 issued by the respondent and quash the same and consequently direct the respondent to register the settlement deed dated 08.10.2024 executed by the petitioner in favour of her daughters (i) Tmt.Padmavathi



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(ii)Tmt.Sangeetha, and (iii)Ponmani, without insisting upon the original settlement deed dated 19.03.2003 in Doc.No.476 of 2003 on the file of the respondent and the non-traceability certificate.

For Petitioner : Mr. S.A.Sayed Shuhaibb

For Respondents : Mr. M.Shahjahan
Special Government Pleader.

ORDER

Challenging the Refusal Check Slip dated 15.10.2024 in and by which the respondent has refused to register the settlement deed dated 08.10.2024 executed by the petitioner in favour of her daughters, namely, Padmavathi, Sangeetha and Ponmani, the petitioner is before this Court.

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



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3. The respondent has refused to register the settlement deed on the ground that neither the original settlement deed dated 19.03.2002 nor the non-traceability certificate has been produced by the petitioner.

4. In the light of the Judgement passed in ***Ramayee - Vs - The Sub Registrar and others - (2020 (6) CTC 697)***, the impugned order is quashed. The respondent shall register the settlement deed within a period of 2 weeks from the date of its re-presentation by the petitioner, without insisting upon the original document and non-traceability certificate.

4. The Writ Petition is allowed. No costs.

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Index : Yes/No
Internet : Yes/No
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To

The Sub-Registrar
Kaniyur,
Udumelpettai Taluk,
Tiruppur District



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P.T. ASHA, J,

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