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W.P.No.35348 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 35348 of 2024

Lalitha

...Petitioner

Vs.

1.The Inspector General of Registration
Santhome High Road,
Mylapore, Chennai 600 004

2.The Sub-Registrar
Joint II, Chengalpattu,
Chengalpattu.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus, calling for records on the file of the 2nd respondent and quash the impugned refusal check slip no RFL / Chengleput Joint II / 88 / 2024 dated 25.07.2024 as illegal and not in accordance to law and consequently direct the 2nd respondent to register the document presented by the petitioner for the registration without insisting upon the production of the original parent document.



For Petitioner : Mr. P.Ramesh Kumar
For Respondents : Mr. M.Shahjahan
Special Government Pleader

ORDER

The petitioner who had presented the settlement deed executed by her in favour of her daughter, is before this Court as she is aggrieved by the refusal check slip issued by the 2nd respondent. The 2nd respondent has refused to register the settlement deed stating that the original document has not been submitted.

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

3. Section 22 – A of the Registration Act, which is inserted by the Tamil Nadu Act 48 of 1997, sets out the grounds under which the Sub Registrar could refuse the registration. The reason that is given in the impugned order does not come within the any of the grounds given in Section 22 - A of the Act. Therefore, the impugned order is not



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sustainable. The 2nd respondent is duty bound to register the document.

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4. Accordingly, the Writ Petition is allowed. The impugned order dated 25.07.2024 is quashed. The petitioner shall re-present the document within a period of 2 weeks from the date of receipt of a copy of this order. The 2nd respondent is directed to register the document, within a period of 2 weeks, from the date of representation of the document. No costs.

27.11.2024

Index : Yes/No
Internet : Yes/No
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To

1.The Inspector General of Registration
Santhome High Road,
Mylapore, Chennai 600 004



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2. The Sub-Registrar
Joint II, Chengalpattu,
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P.T. ASHA, J,

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