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WP.No.35686 of 2024

In the High Court of Judicature at Madras

Dated : 02.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35686 of 2024

Mrs.A.Mary Rajalakshmi

Vs

...Petitioner

The Sub-Registrar, Office of the
Sub-Registrar, Thiruporur,
Chennai South Registration
District.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the refusal letter bearing Refusal Number in RFL/Thiruporur/63/2024 dated 11.11.2024 issued by the respondent herein, quash the same and direct the Sub-Registrar, Thiruporur to entertain the petitioner's application to register the settlement deed executed by the petitioner to her daughter Mrs.Elizabeth Sangeetha Daniel.T., aged 41 years residing at No.21, M.K.Reddy Street, West Tambaram, Chennai-45.

For Petitioner : Mr.M.P.Rajendran
For Respondent : Ms.C.Meera Arumugam, SGP



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ORDER

Challenging the refusal check slip issued by the respondent dated 11.11.2024 refusing to register the settlement deed presented by the petitioner on the ground that the original document was not furnished and to issue a consequential direction to the respondent to register the document presented by her, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondent.

3. This Court has, time and again, issued instructions to the Registering Authorities to act within the confines of the powers conferred under the Indian Registration Act. In the considered view of this Court, the insistence of production of the original document does not come within the powers conferred on them. It is seen that the petitioner purchased the property, which is sought to be settled in favour of her daughter, vide a sale deed dated 19.8.1985 registered as doc.No.1995 of 1985 on the file of the respondent. The respondent ought to have verified the details of the original document with the details available in his office. Even on this ground, the demand for



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production of the original document is without any basis.

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4. Accordingly, the writ petition is allowed, the impugned refusal check slip is set aside and the respondent is directed to register the settlement deed presented by the petitioner within a period of two weeks from the date of its representation. No costs.

02.12.2024

To
The Sub-Registrar, Thiruporur,
Chennai South Registration
District.

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P.T.ASHA,J

RS

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