



WEB COPY



WP.No.37763 of 2024

In the High Court of Judicature at Madras

Dated : 18.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.37763 of 2024

B.Saraswathi

...Petitioner

Vs

1.The District Registrar (Salem West), Room No.313,
Corporate Building, Office of
the District Collector Office,
Salem-1.

2.The Sub-Registrar, No.1 Joint
Sub-Registrar Office, III Floor,
Collectorate Building,
Salem District-1.

...Respondents

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 impugned refusal check slip of the second respondent in RFL/No.1 Joint Registrar/Salem West/62/2024 dated 02.9.2024, quash the same as illegal and arbitrary and consequently direct the second respondent SRO, No.1 Joint Sub-Registrar Office, Salem District to accept the settlement deed dated 23.8.2024 presented for registration within a stipulated time as fixed by this Court.



WEB COPY



WP.No.37763 of 2024

For Petitioner : Mr.N.Vijaya Baskar for
M/s.Law Vision
For Respondents : Mr.M.Shahjahan, SGP

ORDER

Challenging the check slip issued by the second respondent dated 02.9.2024 refusing to register the settlement deed presented by the petitioner on the ground that the no parent document was available, the petitioner is before this Court.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Special Government Pleader accepting notice for the respondents.

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 parent document does not come within the powers conferred on them. The parent document, which the second respondent demands production, is a document, which has been registered in the office of the second respondent. The veracity of the parent document can be verified by perusing the details available in the office of the second respondent. Even on this ground,



WP.No.37763 of 2024

the demand for production of the parent document is without any basis.

4. Accordingly, the writ petition is allowed, the impugned refusal check slip is set aside and the second 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.

18.12.2024

To

- 1.The District Registrar (Salem West), Room No.313,
Corporate Building, Office of
the District Collector Office,
Salem-1.
- 2.The Sub-Registrar, No.1 Joint
Sub-Registrar Office, III Floor,
Collectorate Building,
Salem District-1.

RS



WEB COPY



WP.No.37763 of 2024

P.T.ASHA,J

RS

WP.No.37763 of 2024

18.12.2024