



WP.No.37848 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.37848 of 2024

Sekar

...Petitioner

Vs

The Sub-Registrar,
Magudanchavadi,
Salem-637103.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the entire records relating to the impugned order passed by the respondent in Refusal Number RFL/Magudanchavadi/367/2024 dated 20.11.2024, quash the same and consequently direct the respondent to register the settlement deed dated 20.11.2024 presented by the petitioner.

For Petitioner : Mr.Titus Enock
For Respondent : Mr.Shahjahan, SGP

ORDER

Challenging the check slip issued by the respondent dated 20.11.2024 refusing to register the settlement deed presented by the petitioner on the ground of non production of the parent document and the encumbrance certificate, the petitioner is before this Court.



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

RS

18.12.2024



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P.T.ASHA,J

RS

To
The Sub-Registrar,
Magudanchavadi,
Salem-637103.

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