



WEB COPY



WP.No.38928 of 2024

In the High Court of Judicature at Madras

Dated : 19.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.38928 of 2024

R.Sekar

Vs

...Petitioner

The Sub-Registrar, Office of
the Sub-Registrar,
Uthagamandalam,
Nilgiris 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 of the respondent relating to refusal check slip No.RFL/62/2024/Sub Registrar Joint I Udhagamandalam dated 10.12.2024, quash the same as illegal and consequently direct the respondent to register the partition deed presented by the petitioner for registration without insisting for the production of original parent document.

For Petitioner : Mr.V.Karthikeyan
For Respondent : Mr.C.Sathish, GA

ORDER

Challenging the check slip issued by the respondent dated



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10.12.2024 refusing to register the partition deed presented by the petitioner and to issue a consequential direction to the respondent to register the same, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate 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 parent document does not come within the powers conferred on them. The original parent document, which the respondent demands production, is a document, which has been registered in the office of the respondent. The veracity of the original 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 original 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 partition deed presented by the petitioner within a period of two weeks



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from the date of its representation. No costs.
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P.T.ASHA,J

RS

To
The Sub-Registrar, Office of
the Sub-Registrar,
Uthagamandalam,
Nilgiris District.

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