



W.P(MD)No.16498 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16498 of 2024

N.Victoria

... Petitioner

Vs.

The Sub-Registrar,
Joint II Sub Registrar Office,
Tirunelveli.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned Refusal Check Slip issued by the respondent in Refusal Number. RFL / Tirunelveli Joint II/28/2024 dated 15.07.2024 and quash the same as illegal and consequently direct the respondent to register the document to be executed by the petitioner without insisting the original document bearing Document No. 727/1993, 736/1993, 769/1993 dated 19.05.1993 and 24.05.1993 within a time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.B.Saravanan
Additional Government Pleader



W.P(MD)No.16498 of 2024

WEB COPY

ORDER

Heard both sides.

2. The petitioner wants to execute the settlement deed in favour of her daughter. The original document is said to be with the petitioner's son. For non-production of the original document, registration was refused and the refusal check slip was also issued. Challenging the same, this writ petition has been filed.

3. I permit the petitioner to re-present the document. The respondent will issue notice to the petitioner's son (Thiru.Balakumaran). If on the enquiry date, Balakumaran appears and affirms that the document is with him, registration can very well go on. If Balakumaran states that the document is not with him, then, the petitioner will have to follow the formalities set out in Rule 55A so as to obtain a non traceable certificate and also give a paper publication. Thereafter, the registration formalities can be very well completed.

4. The Writ Petition is disposed of accordingly. No costs.

22.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
rmi



W.P(MD)No.16498 of 2024

To

The Sub-Registrar,
Joint II Sub Registrar Office,
Tirunelveli.



WEB COPY



W.P(MD)No.16498 of 2024

G.R.SWAMINATHAN, J.

rmi

W.P(MD)No.16498 of 2024

22.07.2024