



W.P.(MD) No.9945 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.9945 of 2017
and
W.M.P.(MD) No.7614 of 2017**

T.Lakshmanan

... Petitioner

/vs./

1.The Inspector General of Registration,
100, Santhome High Road,
Mylapore, Chennai.

2.The District Registrar,
Tirunelveli,
Tirunelveli District.

3.The Sub Registrar,
Office of the Sub Registrar,
Vallioor,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the check slip of the 3rd respondent dated 10.05.2017 and quash the same as



W.P.(MD) No.9945 of 2017

illegal and unsustainable in law consequently direct the 3rd respondent to accept the settlement deed presented by the petitioner dated 10.05.2017 for its registration and release the same forthwith,

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

A refusal check slip has been issued by the third respondent indicating that the petitioner had not produced any documents to substantiate his title to the property.

2. The right of the Registering Authority to enquire into the title of the property has been deprecated by this Court in the judgment reported in **2020 (6) CTC 697 (N.Ramayee Vs. Sub Registrar, Registration Department and another)**.

3. In view of the categorical pronouncement of the Division Bench of this Court, the impugned order is liable to be set aside and is accordingly set aside.



W.P.(MD) No.9945 of 2017

The third respondent shall entertain to register the document as and when the same is presented by the petitioner for registration.

4. With the aforesaid directions, the Writ Petition stands allowed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
mm

18.11.2024

To

- 1.The Inspector General of Registration,
100, Santhome High Road,
Mylapore, Chennai.
- 2.The District Registrar,
Tirunelveli,
Tirunelveli District.
- 3.The Sub Registrar,
Office of the Sub Registrar,
Vallioor,
Radhapuram Taluk,
Tirunelveli District.



WEB COPY



W.P.(MD) No.9945 of 2017

K.KUMARESH BABU, J.

mm

W.P.(MD) No.9945 of 2017

18.11.2024