



W.P.(MD)No.25406 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 25.10.2024**

**CORAM**

**THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE**

**W.P.(MD)No.25406 of 2024**

**and**

**W.M.P.(MD)No.21553 of 2024**

Chellakani

: Petitioner

Vs.

1.The Sub-Registrar,  
Sub Registrar Office,  
Shenkottai,  
Tenkasi District.

2.The District Registrar,  
District Registrar Office,  
Tenkasi District.

3.The Deputy Inspector General,  
26FJ+GV8, Integrated building,  
Commercial Taxes and Registration Department,  
Fanepet, Nandanam,  
Chennai – 600 035.

: Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the



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records relating to the impugned Refusal Check Slip issued by the first respondent / Sub Registrar, Shenkottai through his proceedings No.RFL/Shenkottai/55/2024 dated 23.09.2024 and quash the same as illegal and consequently to direct the first respondent to register the Sale Deed presented by the petitioner in temporary No.TP/195617298/2024 dated 23.09.2024, within the period that may be stipulated by this Court.

For Petitioner : Ms.K.Abiya

For Respondents : Mr.C.Satheesh

Government Advocate

### **ORDER**

This Writ Petition has been filed challenging the impugned refusal check slip issued by the first respondent dated 23.09.2024 on the ground that the first respondent has arbitrarily and erroneously refused to register the sale deed presented by the petitioner for registration on the ground that the petitioner did not produce the original parent document with the respondents at the time of presentation of the sale deed for registration.

2.The law is now well settled as laid down by various decisions of this Court including an order dated 11.03.2022 passed



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by me in W.P.(MD)No.4328 of 2022, that there is no necessity to produce the original parent document as none of the provisions of the Registration Act or the Rules contemplating registration requires the party appearing before him while presenting the document for registration to produce the original title deeds [parent document] relating to the property so as to satisfy the Registrar about the ownership of the executant in respect of a property sought to be transferred through the sale deed, presented for registration.

3.This Court while passing the aforesaid order had also relied upon three other decisions rendered by this Court namely the ones reported in **2011 2 L.W. 648, 2015 Online SCC Mad 5868 and 2018 Online SCC Mad 3989**. However, by total non-application of mind to the well settled law, the respondents have erroneously refused to register the sale deed presented by the petitioner for registration on the ground that the petitioner did not produce the original parent document at the time of presentation of the document for registration.

4.For the foregoing reasons, necessarily, the impugned order has to be quashed and the writ petition has to be allowed.



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5. Accordingly, the impugned refusal check slip is hereby quashed and this Writ Petition is allowed by directing the first respondent to register the sale deed presented by the petitioner in temporary No.TP/195617298/2024 on 23.09.2024, if the same is otherwise in order within a period of two [2] weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

**25.10.2024**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes/No  
MR



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To

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**ABDUL QUDDHOSE, J.**

MR

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