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W.P.(MD)No.25549 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.25549 of 2024

T.R.S.Vijairam

: Petitioner

Vs.

The Sub-Registrar,
Aruppukottai Sub Registration Office,
Virudhunagar District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, to call for the records of the respondent in Refusal Check Slip in RFL/Aruppukottai/34/2024 dated 18.10.2024 and quash the same as illegal and arbitrary and in consequence thereof directing the respondent to receive and register the settlement deed dated 18.10.2024 executed by the petitioner without insisting for production of original parental deed.

For Petitioner : Mr.B.Sekar

For Respondent No.1 : Mr.C.Satheesh

Government Advocate



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ORDER

This Writ Petition has been filed challenging the impugned order dated 18.10.2024, passed by the respondent, refusing to register the settlement deed presented by the petitioner for registration on the ground that he did not produce the parent original title deed pertaining to the property.

2.The law is now well settled by various decisions rendered by this Court that there is no necessity to produce the original parent document as none of the provisions of the Registration Act or the Rules contemplates the Registrar to require the party appearing before him for presenting document for registration to produce the original title deeds relating to the property so as to satisfy himself about the ownership of the executant in respect of the property.

3.In view of the well settled law, this Court is of the considered view that by total non-application of mind to the same, the respondent has refused to register the sale deed presented by the petitioner for registration on the ground that the petitioner has not produced the original parent document.



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4.For the foregoing reasons, the impugned order dated 18.10.2024 passed by the respondent is hereby quashed and this Writ Petition is allowed, by directing the respondent to register the settlement deed dated 18.10.2024 presented by the petitioner for registration, 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.

25.10.2024

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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To
The Sub-Registrar,
Aruppukottai Sub Registration Office,
Virudhunagar District.



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ABDUL QUDDHOSE, J.

MR

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