



W.P.(MD)No.25547 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.25547 of 2024

Alamelu Mugunthan

: Petitioner

Vs.

No.I Joint Sub Registrar,
O/o. No.I Joint Sub Registrar Office,
Karaikudi,
Sivagangai District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records relating to the impugned check slip dated 20.09.2024 in RFL/1 எண்.இணை சார்பதிவாளர் காரைக்குடி/14/2024 and quash the same and direct the respondent to receive the document dated 20.09.2024 styled as Settlement Deed for registration and register the same.

For Petitioner : Mr.S.Manikandan

For Respondent No.1 : Mr.M.Siddharthan

Additional Government Pleader



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ORDER

This Writ Petition has been filed challenging the impugned order dated 20.09.2024, passed by the respondent, refusing to register the settlement deed presented by the petitioner for registration on the ground that she 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 20.09.2024 passed by the respondent is hereby quashed and this Writ Petition is allowed, by directing the respondent to register the settlement deed dated 20.09.2024 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
No.I Joint Sub Registrar,
O/o. No.I Joint Sub Registrar Office,
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ABDUL QUDDHOSE, J.

MR

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