



W.P.(MD)No.25630 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25630 of 2024

S.Kanchana

... Petitioner

/Vs./

1.The District Registrar,
Registration Department,
Integrated Complex of Registration Department,
St.Marks Street, Near Sankar Colony,
Behind John Higher Secondary School,
Tirunelveli – 627 002.

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

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the refusal Check Slip in Refusal Number RFL/Joint II Sub Registrar Tirunelveli/64/2024 dated 07.10.2024 of the 2nd respondent quash the same and directing the 2nd respondent to register the Settlement Deed dated 07.10.2024, which is presented for registration on 07.10.2024 in respect of land in survey No.104/1A situated at Tirunelveli Village Tirunelvelil Taluk and Tiruenlveli District.



W.P.(MD)No.25630 of 2024

WEB COPY

For Petitioner : Mr.R.Aravindraaj
For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order dated 07.10.2024 passed by the second respondent refusing to register the settlement deed presented by the petitioner for registration on the ground that the petitioner has not produced the original parent document.

2. Heard Mr.R.Aravindraaj, learned counsel appearing for the petitioner, and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



W.P.(MD)No.25630 of 2024

WEB COPY

4. Law is now well settled through 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 its Rules contemplate the Registrar to require the party appearing before him for presenting a document for registration to produce the original title deeds relating to the property so as to satisfy himself about the ownership of the executant.

5. 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 second respondent has passed the impugned order refusing to register the settlement deed presented by the petitioner for registration on the ground that she has not produced the original parent document. Necessarily, the impugned order dated 07.10.2024 passed by the second respondent has to be quashed and the writ petition will have to be allowed.

6. Accordingly, the impugned order dated 07.10.2024 passed by the second respondent is hereby quashed and this writ petition is allowed by directing the second respondent to register the settlement deed



W.P.(MD)No.25630 of 2024

presented by the petitioner for registration, if the same is otherwise in order, within a period of two weeks from the date of receipt of a copy of this order. No costs.

25.10.2024

Index : Yes / No
NCC : Yes / No
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W.P.(MD)No.25630 of 2024

WEB COPY **TO:-**

The Sub Registrar,
Orathanadu Sub Registrar Office,
Orathanadu,
Tanjavur District.



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W.P.(MD)No.25630 of 2024

ABDUL QUDDHOSE, J.

Sm

Order made in
W.P.(MD)No.25630 of 2024

Dated:
25.10.2024