



W.P.(MD)No.25907 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25907 of 2024

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... Petitioner

/Vs./

The Sub Registrar,
Kariapatti Sub Registration Office,
Kariapatti,
Virudhunagar District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus calling for the records relating to impugned Refusal Check slip vide Refusal No.RFL/Kariapatti/11/2024 dated 10.10.2024 issued by the respondent and quash the same as illegal and unconstitutional and consequently direct the respondent to forthwith register and release the Deed of Settlement dated 10.10.2024 presented by the petitioner with reference to online registration token number in T.P/197409028/2024 in respect of the land comprised in New Survey No. 23/132 (Old Survey No.23/7) admeasuring 5 cents of Kattukuthagai Karisalkulam Village, Kariapatti Taluk, Virudhunagar District, without insisting the production of original previous document in Doc.No. 918/1993 and production of Non-Traceable certificate for the same.



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For Petitioner : MrS.Balamurugan
For Respondent : Mr.P.Subbaraj
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 10.10.2024 to register the settlement deed presented by the petitioner for registration on the ground that the petitioner has not produced the parent title deeds.

2. Heard MrS.Balamurugan, learned counsel appearing for the petitioner, and Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondent.

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

4. Law is now well settled through various decisions rendered by this Court that there is no necessity for the production of the original parent title deeds at the time of presentation of a document for



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registration. By total non application of mind to the well settled law, the respondent has passed the impugned refusal check slip. In view of the same, the impugned refusal check slip dated 10.10.2024 issued by the respondent has to be necessarily quashed and the writ petition will have to be allowed.

5. Accordingly, the impugned refusal check slip dated 10.10.2024 issued by the respondent is hereby quashed and this writ petition is allowed by directing the respondent to register the settlement deed 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. However, it is made clear that the petitioner shall produce all the certified copies of the parent document to the respondent to enable the respondent to register the settlement deed presented by the petitioner for registration. No costs.

28.10.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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TO:-

The Sub Registrar,
Kariapatti Sub Registration Office,
Kariapatti,
Virudhunagar District.

Order made in
W.P.(MD)No.25907 of 2024

Dated:
28.10.2024