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WP.No.563 of 2025

In the High Court of Judicature at Madras

Dated : 20.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.563 of 2025

Semira Khaleeli

...Petitioner

Vs

1.The Inspector General of
Registration, Mylapore,
Chennai-28.

2.The Sub-Registrar, Chennai
North Joint - 1, Parrys,
Chennai-1.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the relating to the Refusal Check Slip No RFL/Chennai North Joint 1/7/2024 dated 29.11.2024 issued by the second respondent, quash the same and direct the second respondent to register forthwith the partition deed presented by the petitioner on 29.11.2024 for the partition of the petitioner's property bearing No.96, old No.70, Armenian Street, Chennai-1 comprised in Survey No.4904/1.

For Petitioner : Mr.Vikram Ramakrishnan
For Respondents : Mr.M.Shahjahan, SGP



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ORDER

Challenging the refusal check slip issued by the second respondent dated 29.11.2024 and to issue a consequential direction to register the partition deed presented by her in respect of the property in Survey No.4904/1, bearing No.96, old No.70, Armenian Street, Chennai-1, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for the respondents.

3. The case of the petitioner is as follows :

The petitioner and her mother and siblings inherited a property after the demise of her father. Now, they wanted to effect partition in respect of the inherited property, pursuant to which, the subject property fell to the share of the petitioner. When the partition deed was presented for registration on 29.11.2024, the second respondent refused to register the same on the ground of non production of the original parent document and the life certificate of the other parties. Hence the writ petition.

4. This Court has, time and again, issued instructions to the



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Registering Authorities to act within the confines of the powers conferred under the Indian Registration Act. In the considered view of this Court, the insistence of production of the original parent document does not come within the powers conferred on them.

5. When the matter is taken up for hearing today, the learned counsel for the petitioner submits that the life certificate has already been produced.

6. In the light of the above, the writ petition is allowed, the impugned refusal check slip is set aside and the second respondent is directed to register the partition deed presented by the petitioner within a period of two weeks from the date of its representation. No costs.

20.1.2025

To

1.The Inspector General of
Registration, Mylapore,
Chennai-28.

2.The Sub-Registrar, Chennai
North Joint - 1, Parrys,
Chennai-1.

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P.T.ASHA,J

RS

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