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W.P.No.779 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 779 of 2025
&
W.M.P.No. 949 of 2025

S.M.Sathiya Narayana

...Petitioner

Vs.

The Sub Registrar
O/o. SRO, Komarapalayam,
Namakkal District

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent relating to the refusal check slip order dated 18.12.2024 made in RFL / Kumarapalayam / 205 / 2024 and quash the same, consequently direct the respondent to register the settlement deed dated and 18.12.2024 without insisting for original parent document



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For Petitioner : Mr. R.Gopinath
For Respondent : Mr. P.Harish
Government Advocate.

ORDER

The Writ Petition is filed to direct the respondent to register the document presented by the petitioner for registration without insisting on the production of the original parental document.

2. The case of the petitioner is that he is the absolute owner of the subject property vide “Will” dated 21.05.2003, executed by his grandfather in his favour. The petitioner would submit that he decided to settle the property in favour of his mother, Padmavathi. Accordingly, he approached the respondent for registration of the settlement deed. However, the respondent refused to register the same and insisted upon the production of the original parent document.



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3. Heard the learned counsels on the either side and perused the records.

4. In the light of the Judgements passed by this Court in ***P.Pappu Vs. The Sub Registrar – W.A.No.1160 of 2024*** and ***Ramayee - Vs - The Sub Registrar and others – 2020 SCC Online Mad 5231***, the refusal cannot be sustained.

5. The Writ Petition is allowed. The impugned refusal check slip is quashed. The respondent is directed to register the document, within a period of 2 weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No costs.

10.01.2025

Index : Yes/No
Internet : Yes/No
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To

The Sub Registrar
O/o. SRO, Komarapalayam,
Namakkal District



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P.T. ASHA, J,

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