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W.P.No.1918 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.1918 of 2025

S.Muthusamy

... Petitioner

Vs.

The Sub-Registrar,
Kandappankurchi Main Road,
Nallur,
Cuddalore - 606 302.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the respondent in issuing Refusal Check Slip in Refusal Number RFL/விருத்தாச்சலம்/96/2024 dated 21.11.2024 and quash the same and further direct the respondent to entertain the sale deed dated 21.11.2024 for registration and consequently register the same.

For Petitioners : Mr.K.Raju

For Respondent : M/s.M.Shahjahan, Spl.GP.
for sole respondent.



ORDER

WEB COPY Challenging the refusal check slip Refusal Number RFL/விருத்தாச்சலம்/

96/2024 dated 21.11.2024 issued by the respondent against the registration of a sale deed dated 21.11.2024 presented by him, the petitioner is before this Court.

2. The respondent had refused to register the said document on the ground that the parent documents were not produced at the time of registration.

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

4. This Court has time and again directed the Registering Authorities to confine exercise of their powers within the parameters set out under Sections 34 (3) of the Registration Act and Section 22-A of the Registration Act, which is inserted by the Tamil Nadu Act 48 of 1997. Further, this Court in the judgment of ***P.Pappu Vs. The Sub Registrar, Rasipuram in W.A.No.1160 of 2024***, upon relying on earlier judgment in ***M.Ariyanatchi and another Vs. The Inspector General of Registration , Chennai and another in W.A.(MD) No.856 of 2023***, had held that the production of original documents need not be insisted, particularly, in cases where the document is lost and the petitioner had produced a



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certified copy of the original document. That apart, the veracity of the document can be easily examined by the respondent by calling for records from the other Registering Authority.

5. In the case of *Ramayee Vs The Sub Registrar and others - (2020 (6) CTC 697)*, the learned Judge has discussed the role of the registering authorities while considering a document for registration is to verify its execution, identity of the executant or the agent/ representative assigned etc., and held that the registering authority cannot go into the question of title. The grounds of refusal are also specified in Section 22-A of the Registration Act.

6. Therefore, for the aforesaid reasons the impugned refusal check slip cannot be sustained and accordingly, the Writ Petition is allowed. The impugned refusal check slip is set aside. The respondent is directed to register the Settlement Deed dated 31.12.2024 within a period of two (2) weeks from the date of representation by the petitioner. No costs.

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Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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To :
The Sub-Registrar,
Kandappankurchi Main Road,
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