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W.P.No.2533 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 2533 of 2025

N.Benjamin

...Petitioner

Vs.

The Sub Registrar,
Sub - Registrars Office,
Kundrathur,
Kancheepuram District

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to register the settlement deed dated 10/01/2025 executed by the petitioner in favour of his daughter Mrs. B.Libia in respect of the vacant plot admeasuring 2564 sq.ft. comprised in old S.no.68 /4, patta S.no.68/6, new S.no.110/4, of Kundrathur Village Natham, Patta no.250, situated at Alandur Taluk, Chennai District, falls under the registration district of Chennai - South and Sub - Registration District of Kundrathur.



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For Petitioner : Mr. V.Vijayakumar
For Respondent : Mr. M.Shahjahan
Special Government Pleader

ORDER

The Writ Petition is filed for the following relief:

“To direct the respondent to register the settlement deed dated 10/01/2025 executed by the petitioner in favour of his daughter Mrs. B.Libia in respect of the vacant plot admeasuring 2564 sq.ft. comprised in old S.no.68 /4, patta S.no.68/6, new S.no.110/4, of Kundrathur Village Natham, Patta no.250, situated at Alandur Taluk, Chennai District, falls under the registration district of Chennai - South and Sub - Registration District of Kundrathur.”

2. The case of the petitioner is that he is the absolute owner of the subject property, by way of a partition deed dated 25.07.1971. The petitioner has been in continuous possession and enjoyment of the same since then. On 10.01.2025, the petitioner executed a settlement



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deed in favour of his daughter. However, the respondent refused to register the same, stating that the original parent document has not been produced. Aggrieved by the same, the petitioner is before this Court.

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 respondent is directed to register the document, within a period of 2 weeks from the date of receipt of a copy of this order. No costs.

31.01.2025

Index : Yes/No
Internet : Yes/No
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To

The Sub Registrar,
Sub - Registrars Office,
Kundrathur,
Kancheepuram District



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P.T. ASHA, J,

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