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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.2972 of 2025

S.Kalpana ... Petitioner

Vs.

The Sub Registrar,
Sub Registrar Office No.1
Tiruppur,
Tiruppur District. ... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the respondent in refusal Check Slip No.RFL / 1 Tiruppur Sub Registrar No. I / 1/ 2025 dated 06.01.2025, thereby refusing to register the document and quash the same as illegal, incompetent and without jurisdiction and further direct the respondent to register the Settlement Deed dated 06.01.2025 presented by the petitioner, within a time frame as may be fixed by this Court.

For Petitioner	:	Ms.U.Parvathavarthini for Mr.N.Stalin
For Respondents	:	Mr.M.Shajahan Special Government Pleader

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O R D E R

This writ petition has been filed challenging the impugned refusal Check Slip issued by the respondent dated 06.01.2025 and for a consequential direction to the respondent to register the Settlement Deed.

2.Heard Ms.U.Parvathavarthini, learned counsel appearing on behalf of the petitioner and Mr.M.Shajahan, learned Special Government Pleader appearing on behalf of respondent.

3.The case of the petitioner is that the petitioner is the absolute owner of the subject property. The petitioner wanted to settle the property in favour of her husband. Hence, she executed a Settlement Deed dated 06.01.2025 and presented the same for registration before the respondent. The respondent through the impugned refusal Check Slip refused to register the document on the ground that the original title documents were not produced at the time of registration. Aggrieved by the same, the present writ petition has been filed before this Court.

4.In the considered view of this Court, the insistence for the original title

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documents for the purpose of registration has been held to be bad by this Court on various occasions. This is more so since the Settlement Deed is within the family members. The petitioner has given the reasons as to why the original title documents is not able to be produced at Paragraph No.4 of the affidavit filed in support of the writ petition. The same reason can be incorporated as one of the clause in the Settlement Deed and it can be presented for registration before the respondent. The respondent shall thereafter entertain the document and register the same, if it is otherwise in order.

5.In the result, this writ petition stands allowed with the above directions. No Costs.

06.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.

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To

The Sub Registrar,
Sub Registrar Office No.1
Tiruppur,
Tiruppur District.

W.P.No.2972 of 2025

06.02.2025

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