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W.P.No.2938 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.2938 of 2025

Dr.R.Padmini

... Petitioner

Vs.

The Sub Registrar
Chengalpattu,
Chengalpattu District.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, direct the respondent to register the document presented by the petitioner for registration without insisting on the production of the original parental document in the light of the order made by this Division Bench in W.A.No.1160 of 2024, dated 27.09.2024 by following the judgment in W.P.(MD)No.19745 of 2020, dated 11.02.2021 and the judgment reported in 2011(2)LW-648 within the time fixed by this Court.

For Petitioner : Mr.R.Gokulakrishnan
For Respondents : Mr.P.Harish,
Government Advocate



ORDER

WEB COPY The above Writ Petition has been filed seeking a mandamus to the respondent to consider the petitioner's representation dated 24.01.2025 for registration without insisting on the production of the original parental document.

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)*, this Court has set out 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 it has been held that the registering authority cannot go into the question of title.

6. Accordingly, the Writ Petition is allowed. The respondent is directed to consider the petitioner's representation dated 24.01.2025, within a period of two (2) weeks from the date of representation by the petitioner. No costs.

30.01.2025

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Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The Sub Registrar
Chengalpattu,
Chengalpattu District.



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