



Writ Petition No.4491 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.4491 of 2025

and

W.M.P.No.4998 of 2025

Shankar

S/o.Ponnusamy

... Petitioner

Vs.

The Sub Registrar,

Uthangarai,

Krishnagiri District

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the Refusal Check Slip in Refusal No.RFL/Uthangarai/223/2024 dated 09.12.2024 and to quash the same as illegal, incompetent and ultra vires and consequently, direct the respondent to register the gift deed dated 09.12.2024.

For Petitioner : Ms.R.Geethalakshmi

For Respondent : Mr.U.Baranidharan
Special Government Pleader



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ORDER

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This writ petition has been filed challenging the refusal check slip issued by the respondent dated 09.12.2024 and for a consequential direction to the respondent to register the gift deed dated 09.12.2024 executed by the petitioner in favour of his minor son.

2. Heard Ms.R.Geethalakshmi, learned counsel for petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for respondent.

3. The respondent has refused to register the gift deed on the ground that the original document has not been filed by the petitioner. This Court has repeatedly held that non-production of original document will not be a ground for refusing to register a document. Hence, it will suffice if the petitioner adds a clause in the gift deed itself to the effect that the original document is lost and it is not able to be traced. If the same is done, the gift deed executed by the petitioner can be accepted and it can be registered, if it is otherwise in order.



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In the result, this writ petition is allowed in the above terms.

No costs. Consequently, connected miscellaneous petition is closed.

17.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

The Sub Registrar,
Uthangarai,
Krishnagiri District.



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N.ANAND VENKATESH, J

gm

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