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W.P.No.3361 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3361 of 2025

P.Puspavathy

... Petitioner

Vs.

1.The District Registrar
South Chennai District Registration
Chennai District

2.The Sub Registrar Joint -II (South Chennai)
Saidapet, Chennai 600 015
@Nanthanam, Chennai 600 035

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records from the second respondent in his impugned refusal check slip dated 24.01.2025 in refusal number:RFL/2 No. Joint Sub Registrar South Chennai/2/2025 dated 24.01.2025 to quash the same and consequently direct the second respondent to register the settlement deed in respect of the petitioner's property situated at Survey Nos.875, 876, 877 Part, to an extent of 249 1/2 sq. ft. land with building (shop No.148), Thomas Mount Post, Alandur Taluk, (Previously Saidapet Taluk), Chennai District (Previously Chengai Anna District) without insisting the previous



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original document.

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For Petitioner : Mr.A.M.Esakkiappan

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the refusal check slip dated 24.01.2025 issued by the 2nd respondent and for a consequential direction to the 2nd respondent to register the settlement deed presented by the petitioner for registration with respect to the subject property.

2.Heard Mr.A.M.Esakkiappan, the learned counsel appearing on behalf of the petitioner and Mr.A.Selvendran, the learned Special Government Pleader appearing for the respondents.

3.The impugned check slip has been issued by placing reliance upon the circular of the I.G. of Registration dated 07.06.2018. This Court has repeatedly held that this circular cannot outweigh the Rule 55A of the Tamil Nadu Registration Rules. Useful reference can be made to the judgment in ***S.Preethi V. The Sub Divisional Executive Magistrate - cum Revenue Divisional Officer***



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and others reported in 2022-1 Writ L.R. 256. When this Court is repeatedly holding that registration cannot be denied on the ground that original title document is not presented, repeatedly the registering authorities are insisting for the same. The registering authority will have to be informed that it will suffice to comply with the third proviso to Rule 55A of the Registration Rules and in which case, original document cannot be insisted upon.

4.In view of the above, the impugned refusal check slip dated 24.01.2025 issued by the 2nd respondent is hereby quashed. The petitioner shall incorporate one clause explaining why the original document of title is not available and re-present the document. There shall be a direction to the 2nd respondent to register the settlement deed presented for registration by the petitioner within a period of one (1) week from the date of receipt of a copy of this order.

5.In the result, this writ petition is allowed with the above direction. No costs.

03.02.2025

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N. ANAND VENKATESH, J.

kas

To.

1.The District Registrar
South Chennai District Registration
Chennai District

2.The Sub Registrar Joint -II (South Chennai)
Saidapet, Chennai 600 015
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