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Writ Petition No.3743 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.3743 of 2025

&

W.M.P.No.4140 of 2025

R.Murugan
S/o.Raman

... Petitioner

Vs.

1. The Inspector General of Registration,
No.100, Santhome High Road,
Santhome, Mylapore,
Chennai – 600 004.

2. The Sub-Registrar,
O/o.Sub-Registrar,
Dadagapatti,
Salem – 636 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating to the order passed in Check Slip dated 13.11.2024, refusal No.RFL/Dadagapatti/112/2024 dated 13.11.2024 by the second respondent and to direct the second respondent to register the settlement deed document presented by the petitioner on 13.11.2024 and to quash the same.

For Petitioner : Mr.K.M.Vivekanandan

For Respondents : Mr.M.Shahjahan
Special Government Pleader



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ORDER

This writ petition has been filed challenging the impugned check slip issued by the second respondent dated 13.11.2024 and for a consequential direction to the second respondent to register the settlement deed that was executed in favour of the petitioner.

2. Heard Mr.K.M.Vivekanandan, learned counsel for the petitioner and Mr.M.Shahjahan, learned Special Government Pleader appearing for respondents.

3. The case of the petitioner is that the property was originally owned by one K.Raman. He died leaving behind nine legal heirs. Eight of the legal heirs wanted to settle their share in the property in favour of the petitioner. Accordingly, a settlement deed came to be executed in favour of the petitioner and it was presented for registration. The second respondent issued the refusal check slip for the reason that there was a mention about the title deed of the year 1973 and it was not produced at the time of registration. The second reason was that the death certificate and the legal heirship certificate was also not produced at the time of



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registration.

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4. In the considered view of this Court, the availability of the title deed of the year 1973 registered as document No.1277/1973 shall be mentioned in the settlement deed itself. If the original document is not available, the reason for its non-availability shall be added as one of the clause in the settlement deed. That apart, the death certificate and the legal heirship certificate shall also be produced before the second respondent while re-presenting the document for registration. If these conditions are satisfied, the second respondent is directed to receive the settlement deed and register the same, if it is otherwise in order.

This writ petition is allowed with the above direction. No costs.

Consequently, connected miscellaneous petition is closed.

12.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

1. The Inspector General of Registration
No.100,Santhome High Road
Santhome, Mylapore, Chennai – 600 004

2. The Sub-Registrar
O/o.Sub-Registrar



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Dadagapatti, Salem – 636 006

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N.ANAND VENKATESH, J

gm

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