



Writ Petition No.6645 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.6645 of 2025

R.Krishnaveni
W/o.Ramalingam

... Petitioner

Vs.

1.The District Registrar,
Salem East,
Combined Registration Department Office,
Kumaragiri By-pass Road,
Near Kailash Manasarovar School,
Ammapettai, Salem - 636 014.

2.The Sub-Registrar,
Joint-I, Salem East,
Combined Registration Department Office,
Kumaragiri By-pass Road,
Near Kailash Manasarovar School,
Ammapettai, Salem - 636 014.

... Respondents

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 impugned Refusal Check Slip bearing reference No.RFL/1, எண். இணை சார்பதிவாளர் சேலம் கிழக்கு/205/2024, dated 04.12.2024 issued by the second respondent and quash the same and consequently, direct the second respondent to register the Gift Settlement Deed executed by the petitioner in favour of her son.



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For Petitioner : Mr.E.Hariharan
For Respondents : Mr.U.Baranidaran,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 04.12.2024 issued by the second respondent and for a consequential direction to the second respondent to register the settlement deed executed by the petitioner in favour of her son.

2. Heard Mr.E.Hariharan, learned counsel for the petitioner and Mr.U.Baranidaran, learned Special Government Pleader appearing for respondents.

3. The refusal check slip has been issued on the ground that the original document has not been produced before the Registrar. Even in the settlement deed, a recital has been added to the effect that the original title deed has been lost. Therefore, there is absolutely no reason for the second respondent to refuse to register the document. This Court has repeatedly held that production of original document cannot be a condition precedent for registering a document.



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4. In view of the above, the impugned refusal check slip dated

04.12.2024 issued by the second respondent is hereby quashed. There shall be a direction to the second respondent to register the settlement deed, if it otherwise in order.

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

No costs.

28.02.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

1.The District Registrar,
Chengalpattu District.

2.The Sub Registrar,
Thiruporur,
Chengalpattu District.



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N.ANAND VENKATESH, J

gm

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