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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.4709 of 2025

A.Palaniyappan

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.

2.The Sub Registrar,
Tiruchengode,
Theppakulam Street,
Tiruchengode 637 211.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for records relating to the impugned refusal check slip refusal no.RFL/Thiruchengode/6/2025 dated 29.01.2025 on the file of the 2nd respondent and quash the same and consequently direct the 2nd respondent to register the settlement deed dated 27.01.2025 presented by the petitioner for registration without insisting upon the production of the Original parent document i.e. sale deed document no.1112 of 2004 on the file of 2nd respondent.



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For Petitioner : Ms.E.Jayaranchana
For Respondents : Mr.K.Karthick Jagannath
Government Advocate

ORDER

This writ petition has been filed challenging the refusal Check Slip dated 29.01.2025 issued by the 2nd respondent and for consequential direction to the 2nd respondent to register the Settlement Deed dated 27.01.2025 executed by the petitioner in favour of his daughter.

2.Heard Ms.E.Jayaranchana, learned counsel appearing on behalf of the petitioners and Mr.K.Karthick Jagannath, learned Government Advocate appearing on behalf of the respondents.

3.The 2nd respondent has refused to register the Settlement Deed dated 27.01.25 on the ground that the petitioner did not produce the original title document. This Court has repeatedly held that the respondents should not insist for



the original title document, as a conditional precedent for registering the document.

The petitioner has taken a very specific stand that the petitioner executed the Settlement Deed in favour of the younger son for a portion of the property and at that time, the original title deed was handed over to the younger son. When the petitioner wanted to execute the Settlement Deed in favour of his daughter for the remaining property, the younger son is refusing to produce the original title document. A sworn affidavit to that effect shall be filed before the 2nd respondent and the document shall be re-presented for registration. In such an event, the 2nd respondent shall register the document, if it is otherwise in order.

4.This writ petition stands allowed with the above directions. No Costs.

17.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 600 028.



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N. ANAND VENKATESH, J.

SSR

2.The Sub Registrar,
Tiruchengode,
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