



WEB COPY



Writ Petition No.5163 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.5163 of 2025

R.Rajamani
S/o.Ramasamy

...Petitioner

Vs.

The Sub Registrar,
Office of the Sub Registrar,
Velagoundampatti,
Namakkal District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the Refusal Check Slip in refusal number RFL/VELAGOUNDAMPATTI/11/2025 dated 05.02.2025 on the file of the respondent, quash the same and consequently, direct the respondent to register the settlement deed dated 05.02.2025 presented by the petitioner for registration, without insisting for production of the original parent document within a reasonable time fixed by this Court.

For Petitioner : Mr.S.Varanesh

For Respondent : Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal



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check slip issued by the respondent dated 05.02.2025 and for a consequential direction to the respondent to register the settlement deed dated 05.02.2025 executed by the petitioner in favour of his wife.

2. Heard Mr.S.Varanesh, learned counsel for petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for respondent.

3. The only reason that has been assigned in the refusal check slip is that the original title document has not been produced at the time of registration. This Court has repeatedly held that insistence of production of original title document cannot be a condition precedent for entertaining and registering a document. Hence, it will suffice if a clause is added in the settlement deed explaining the non-availability of original title document. If the same is done, the document can be entertained and it can be registered, if it is otherwise in order.

In the result, this writ petition is allowed with the above direction.

No costs.



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19.02.2025

Neutral citation: Yes/No

Index : Yes/No

Speaking Order / Non Speaking Order
gm

To

The Sub Registrar,
Office of the Sub Registrar,
Velagoundampatti,
Namakkal District.

N. ANAND VENKATESH, J
gm



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