



W.P.No.10803 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 02.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.10803 of 2025

H.Anandh

.. Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 641 020.

2.District Registrar,
Erode.

3.The Sub Registrar,
Punjai Pulliyampatti,
Erode.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent pertaining to the Refusal Check Slip dated 19.02.2025 bearing number : RFL/Punjai Puliamatti/10/2025 issued by the 3rd respondent and quash the same as illegal and consequently direct the 3rd respondent to receive and register the settlement deed dated 19.02.2025 within a stipulated time frame fixed by this Court without insisting on production of originals.



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For Petitioner : Mr.Sam Jayaraj Houston
for Sarvabhauman Associates

For Respondents : Mr.U.Baranidharan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned refusal check slip dated 19.02.2025 issued by the 3rd respondent and for a consequential direction to the 3rd respondent to entertain and register the settlement deed dated 19.02.2025 executed by the petitioner in favour of his wife.

2.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

3.The impugned refusal check slip had been issued by the 3rd respondent mainly on the ground that the petitioner did not produce the original title deed at the time of registration. On carefully going through the affidavit filed in support of the writ petition, it has been stated that the original title deed was lost and it is not traceable and that already a paper publication has been given in this regard in 'Malai Murasu', Coimbatore Edition.



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4.This Court has repeatedly held that insisting for original title

deed cannot be made a condition precedent for registering a document.

The petitioner has assigned proper reasons for the non availability of the original title document. Hence, a recital to that effect shall be included in the settlement deed and the same shall be presented for registration before the 3rd respondent and the 3rd respondent shall register the document, if it is otherwise in order.

5.In the result, this Writ Petition is allowed with the above directions. No costs.

02.04.2025

krk

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

1.The Inspector General of Registration,
No.100, Santhome High Road,
Chennai – 641 020.

2.District Registrar,
Erode.

3.The Sub Registrar,
Punjai Pulliyampatti, Erode.

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N.ANAND VENKATESH, J.

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