



Writ Petition No.12234 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12234 of 2025

VEDIAPPAN
S/o.Late.Murugesan

Petitioner

Vs

The Sub Registrar
Office of The Sub Registrar,
Karimangalam.

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings vide Refusal slip having reference No.RFL/Karimangalam/315/2024 dated 24.12.2024 on the file of the respondent, quash the same and consequently direct the respondent to register the partition deed dated 24.12.2024 presented by the petitioner for registration and release the document to the writ petition within the time period stipulated by this Court.

For Petitioner : Mr.K.Rajkumar

For Respondent : Mr.K.Karthick Jagannath,
Government Advocate



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ORDER

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This writ petition has been filed challenging the impugned refusal check slip issued by the respondent dated 24.12.2024 and consequently, direct registration of the partition deed dated 24.12.2024 presented by the petitioner and to release the same.

2. Heard Mr.K.Rajkumar, learned counsel for petitioner and Mr.K.Karthick Jagannath, learned Government Advocate appearing for respondent.

3. The refusal check slip has been issued by the respondent mainly on the ground that the petitioner did not produce the original title deed pertaining to the subject property. In paragraph No.6 of the affidavit filed in support of the writ petition, it has been stated that the original title deed has been lost and a complaint has also been given to the police and further, an advertisement has also been given in the newspaper. This Court has repeatedly held that insistence of original title document cannot be a condition precedent to refuse registration of a document.



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4. In view of the above, the impugned refusal check slip dated 24.12.2024 issued by the respondent is hereby quashed. There shall be a direction to the petitioner to add a recital in the partition deed to the effect that the original title document has been lost, that a complaint has been given to the police and a paper publication has also been made in this regard. If the same is done, there shall be a direction to the respondent to register the partition deed, if it is otherwise in order.

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

07.04.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To

The Sub Registrar
Office of The Sub Registrar,
Karimangalam.



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N.ANAND VENKATESH, J

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