



WEB COPY

WA No. 3571 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

WA No. 3571 of 2025

Paraman

Appellant(s)

Vs

The Sub Registrar
Sub Registrar Office, Dharapuram,
Tiruppur Dt.

Respondent(s)

PRAYER : Writ Appeal filed under Clause 15 of Letter patent, praying to set aside the Order dated 29-11-2023 passed in WP.No.33492 of 2023 and allow the WA.

For Appellant(s): Mr. N.Stalin

For Respondent(s): Mr.U.Baranidharan,
Special Government Pleader

**JUDGMENT****(Order of the Court was made by Mohammed Shaffiq J.)**

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The writ appeal on hand is filed challenging the order passed in W.P.No.33492 of 2023 dated 29.11.2023, whereby the challenge to the refusal slip was rejected.

2. Petitioner's mother purchased the property in question situated at Old Sinnakkapalayam Village, Selampalayam Village, Dharapuram Taluk, bearing Old S.No.587/C, New S.No.625/1A1 measuring about 0.06 cents and the same was registered, Vide Doc No.1870/1980, dated 23.06.1980 at the Sub Registrar Office, Dharapuram. Petitioner's mother died on 10.06.1987, leaving behind the petitioner and his brother namely one Mr.Palanisamy as her legal heirs. Since then, the petitioner and his brother were jointly in possession and enjoyment of the said properties. While so, petitioner and his brother decided to partition the said properties. Partition deed was executed on 07.11.2023, wherein "A" schedule property was allotted to the brother of the appellant and "B" schedule was allotted to the appellant. When the partition deed was presented for registration, the same was returned by the respondent/Sub Registrar who issued the impugned refusal cheque slip on the premise that the original document has not been produced.



3.It is submitted by the learned counsel for the petitioner that the reason provided by the authority cannot be sustained, as it is contrary to the order of the Supreme Court of India in the case of ***K. Gopi v. The Sub-Registrar, Office of Sub-Registrar, Kodavasal & Others***, reported as ***(2025) SCC OnLine SC 740***, wherein it was found that for the purpose of registration, insistence on production of original documents in terms of Rule 55A(i), to verify title, was found impermissible and the said Rule was declared ultra vires.

4.Pursuant to the above order of the Supreme Court, the Department of Registration issued a Clarification/Circular dated 28.04.2025, directing registering officers inter alia not to insist production of original title/previous documents

5.It was thus submitted that the impugned refusal slip is contrary to the order of the **Hon'ble Apex Court** as well as that of the **clarificatory circular** referred to (supra), dated **28.04.2025**.

6.Learned counsel for the respondent would submit that he petitioner may represent the document and the same will be registered if it is otherwise in order.



7. Accordingly, the present writ appeal is allowed and the writ order dated 29.11.2023 passed in W.P.No.33492 of 2023 is set aside. However, there shall be no order as to costs.

Sha

(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)
27-11-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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To

The Sub Registrar
Sub Registrar Office, Dharapuram,
Tiruppur Dt.



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**S.M.SUBRAMANIAM J.
AND
MOHAMMED SHAFFIQ J.**

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