



W.P. No.24821 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.24821 of 2025

K.Chinnasamy

...Petitioner(s)

vs.

The Sub-Registrar,
Office of the Sub-Registrar,
Nambiyur, Erode District.

...Respondent(s)

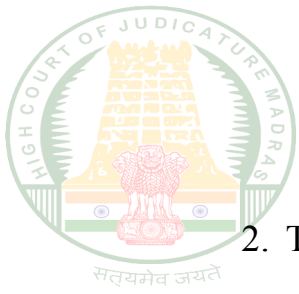
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the entire records relating to the refusal check slip dated 20.05.2025 in RFL/Nambiyur/18/2025 issued by the respondent herein and quash the same and consequently direct the respondent to register the partition deed executed on 20.05.2025 on representation within a time frame to be stipulated by this Court.

For Petitioner(s) : Mr.C.Munusamy

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

ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.



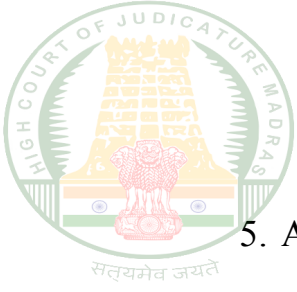
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2. The present writ petition is filed praying for a writ of Certiorari Mandamus challenging the refusal check slip dated 20.05.2025, whereby the partition deed was refused registration on the premise that original title documents were not produced.

3. It is submitted by the learned counsel for petitioner that registration cannot be refused on non-production of original title documents and would place reliance upon the Circular dated 28.04.2025 in Lr.No.44420/C1/2024. The relevant portions of the Circular is extracted hereunder:

“(4) In other words the Registering Officers shall not insist production of Original Previous documents or Non-Traceable Certificate from the Police Department or Encumbrance Certificate an other Revenue details from the Registrants.”

4. In view thereof, the impugned order is set-aside, it is open to the petitioner to re-present the partition deed for registration, respondent shall consider and register the document if it is otherwise in order, and release the same after affording the petitioner, and other interested parties a reasonable opportunity of hearing. If for any reason, the respondent is rejecting the petitioner's request, they may do so after assigning appropriate reasons.



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5. Accordingly, the writ petition stands disposed of. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law. No costs.

11.07.2025

Speaking (or) Non Speaking Order
Index : Yes/ No
Neutral Citation: Yes/No
mka

To:
The Sub-Registrar,
Office of the Sub-Registrar,
Nambiyur, Erode District.



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MOHAMMED SHAFFIQ, J.

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