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W.P.No.32136 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.32136 of 2025

Kabali : Petitioner

Vs.

1.The District Registrar (Administration)
Chengalpattu District, Chengalpattu

2.The Sub Registrar,
Tirukazhukundram,
Chengalpattu District : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus calling for the records of the 2nd Respondent vide refusal No.RFL/Thirukazhukundram/17/2025 dated 07.08.2025 and quash the same subsequently direct the 2nd Respondent to register the document of settlement deed dated 07.08.2025 settling in favour of petitioner's wife.

For Petitioner : Mr.N.Ranjith Kumar

For Respondents : Mr.Abishek Murthy,
Government Advocate

ORDER



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

2. The present writ petition is filed challenging the refusal check slip dated 07.08.2025 whereby the settlement deed dated 07.08.2025 was refused registration on the premise that there is a discrepancy in the patta and there is some uncertainty regarding the ownership in respect of subject property comprised in S.No.153/14B measuring an extent of 0.2.47 acres situated at Punjeri Village, Thirukazhukundram Taluk, Chengalpattu District and directed to approach competent civil court for appropriate remedy.

3. It is submitted by learned counsel for petitioner that the above reason cannot be justified inasmuch as it is contrary to the instructions issued by the Inspector General of Registration in Circular No.22482/C1/2022, dated 12.07.2024, wherein it has been specifically directed that the registering officer shall not refuse to register a document solely on the ground of non-furnishing of the documents/revenue records. The relevant portion of the Circular is extracted hereunder:



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"In the reference, first cited, Hon'ble High Court had directed the Inspector General of Registration to issue circular indicating the law declared by the Court in various verdicts. Accordingly this circular is issued on the basis of the various verdicts of Courts and also reiterating various circulars which have been already issued in this regard.

a) Vide Inspector General of Registration Circular No.58804/L1/2004 dated 8.11.2004 it has been already instructed that registering officers should not insist the registrants to produce Chitta, Adangal, Rental value certificate etc. Moreover, in the said circular it was stated that if any violation is found, severe disciplinary action would be initiated against the registering officer."

4.At the outset, it was submitted by the learned Special Government Pleader that if the settlement deed dated 07.08.2025 is presented before the second respondent, the same would be registered, if it is otherwise in order. If, for any reason, the Sub Registrar is of the view that the registration ought to be refused, he would do so after assigning reasons, which was agreed to by the learned counsel for the petitioner.

5. In view thereof, the impugned order is set aside. It is open to the petitioner to re-present settlement deed dated 07.08.2025 before the second respondent. On



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such re-presentation, the second respondent shall register the settlement deed, if it is otherwise in order, in accordance with law, keeping in view the instructions issued in Circular No.22482/C1/2022, dated 12.07.2024. If for any reason, the second respondent refuses to register the settlement deed, he shall assign reasons in the refusal slip. 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.

6. Accordingly, the writ petition stands disposed of. There shall be no order as to costs.

22.08.2025

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

To
1.The District Registrar (Administration)
Chengalpattu District, Chengalpattu

2.The Sub Registrar,

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Tirukazhukundram,
Chengalpattu District



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MOHAMMED SHAFFIQ, J.

(mrn)

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