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W.P.No.2371 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 2371 of 2025

N.Sasikumar

...Petitioner

Vs.

1.The Inspector General of Registration
Office of the Inspector General of Registration,
No.100 Santhome High Road, Santhome,
Chennai 600004.

2.The Sub-Registrar,
Office of the Sub-Registrar,
Negamam.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the 2nd respondent to register and release petitioners settlement deed which is kept pending in TP/ 188879998 dated 24.07.2024 on the file of the 2nd respondent.



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For Petitioner : Mr. A.V.Vignesh
For Respondents : Mr. M.Shahjahan
Special Government Pleader.

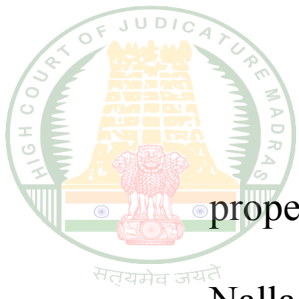
ORDER

The Writ Petition is filed for the following relief:

“To direct the 2nd respondent to register and release petitioners settlement deed which is kept pending in TP/ 188879998 dated 24.07.2024 on the file of the 2nd respondent”.

2. The Writ Petition is filed for a direction to the 2nd respondent to register and release the petitioner's settlement deed which has been kept pending since 24.07.2024.

3. The petitioner would submit that he had executed a settlement deed in question in favour of his wife, Manogaramani settling the



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property that he had received under a Will executed by his grandfather Nalla Gounder. Nalla Gounder passed away on 31.07.2005.

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4. The petitioner would submit that the original Will dated 22.06.2005 was lost and a complaint regarding the same was lodged on 23.06.2016 and he had obtained a Non-Traceability Certificate. He had presented the settlement deed for registration before the 2nd respondent. However, the same was kept pending without assigning any reason. Aggrieved by the same, the petitioner is before this Court.

5. The various Judgements of this Court held that the registering authorities cannot refuse to register a document on the ground that the original document have not been produced. This stand has been reiterated by this Court in *M.Ariyanatchi and another Vs. Inspector General of Registration – WA(MD).No.856 of 2023* and *Punithavathy Vs. Inspector General of Registration – WA.No.1571 of 2024*.



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6. Therefore, in the light of the above, the refusal to register the settlement deed is without any basis. Consequently, the Writ Petition is allowed. The 2nd respondent is directed to register the document within a period of 2 weeks from the date of receipt of a copy of this order. No costs.

31.01.2025

Index : Yes/No
Internet : Yes/No
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To
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2.The Sub-Registrar,
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P.T. ASHA, J,

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