



W.P.No.38796 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.38796 of 2024

A.Sarangabani

...Petitioner

Vs

1. The Inspector General of Registration
Department of Registration,
No. 100, Santhome High Road,
Foreshore Estate, Chennai-600 028.

2.The District registrar,
District registrar Office,
No. 32/1, Thiyagarajapuram Theru,
Vijayapuram, Thiruvarur - 610 001.

3.The Sub Registrar,
Mannarkudi,
No. 234, Gandhi Road,
Mannarkudi Taluk,
Thiruvarur District-614 001

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus, calling for the entire records pertaining to the refusal Check slip issued by the 3rd respondent herein in Refusal Number RFL/Mannarkudi/Nagapattinam /312/2024 dated 22.11.2024 refusing to register the settlement deed dated 22.11.2024 and



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quash the same, consequentially direct the 3rd respondent to register the Settlement deed 22.11.2024 presented by the petitioner without insisting for the production of Original Deed dated 21.04.2011 registered as document No 1280 & 1283 of 2011 on the file of SRO Mannarkudi.

For Petitioner : Mr.S.Mayilnathan
For Respondents : Mr.B.Vijay,
Additional Public Prosecutor

ORDER

Challenging the refusal check slip issued by the third respondent against the registration of a settlement deed dated 22.11.2024, the petitioner is before this Court.

2. The respondent had refused to register the said document on the ground that the original documents were not produced at the time of registration.

3. Heard the learned counsels on the either side and perused the records. The learned Government Advocate takes notice on behalf of respondents.



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4. Section 22- A of the Registration Act, which is inserted by the

Tamil Nadu Act 48 of 1997, sets out the grounds under which the Sub Registrar could refuse the registration. The reason that is given in the impugned order does not come within any of the grounds given in Section 22-A of the Registration Act. Therefore, the impugned order is not sustainable. The respondent is duty bound to register the document.

5. Accordingly, the Writ Petition is allowed. The impugned refusal check slip in No.RFL/Mannarkudi/Nagapattinam /312/2024 dated 22.11.2024 issued by the 3rd respondent is quashed. The respondent is directed to register the settlement deed dated 22.11.2024, within a period of 2 weeks, from the date of its representation by the petitioner. No costs.

02.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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To

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