



WEB COPY



W.P.No.39303 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.39303 of 2024

Patchaiyammal @ Patchiyammal

...Petitioner

Vs

The Sub-Registrar,
Vazhappadi,
Salem District.

...Respondent

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned refusal check slip in RFL/Vazhapadi/116/2024 dated 04.12.2024 and quash the same and consequently direct the respondent to register the settlement deed dated 04.12.2024 executed by the petitioner in favour of her grandson Kiruba and release the same within the time frame fixed by this Court.

For Petitioner : Mr.M.Murugan

For Respondents : Mr.P.Harish
Government Advocate



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ORDER

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2. The respondent had refused to register the said document on the ground that the parent 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.

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.



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5. Accordingly, the Writ Petition is allowed. The impugned refusal check slip in RFL/Vazhapadi/116/2024 dated 04.12.2024 issued by the respondent is quashed. The respondent is directed to register the settlement deed dated 04.12.2024, 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
The Sub-Registrar,
Vazhappadi,
Salem District.



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P.T.ASHA, J,

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