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W.P.No.73 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.73 of 2025

V.Sekar

... Petitioner

Vs

The Sub-Registrar,  
Kunrathur Sub Registrar Office,  
Kunrathur Taluk,  
Kancheepuram District.

... Respondent

**Prayer:** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the Refusal Check Slip in Refusal No. RFL/Kunrathur/54/2024 dated 13.12.2024 quash the same and consequently direct the respondent to admit and register the settlement deed dated 13.12.2024 executed by the petitioner in favour of his daughter A.Sarala with respect to the properties outlined in the Doc.No.44 of 1994 on the file of SRO, Kunrathur without insisting production of original title deed.

For Petitioner : Mr.K.P.P.Raja Raja Chozhan

For Respondent : Mr.M.Shahjahan  
Special Government Pleader



W.P.No.73 of 2025

**ORDER**

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The writ petition is filed to call for the records of the respondent pertaining to the refusal check slip dated 13.12.2024, quash the same and consequently direct the respondent to admit and register the settlement deed dated 13.12.2024 executed by the petitioner in favour of his daughter A.Sarala.

2. The grievance of the petitioner is that since the original parent document was not produced, the refusal slip was issued. The matter is no longer *res integra*.

3. The Hon'ble Division Bench of this Court has held that the production of original document is not necessary under all circumstances. The learned Single Judge of this Court, the Hon'ble Mr.Justice S.Sounthar, in W.P.No. 22270 of 2024 dated 14.08.2024 has considered the relevant judgments and issued detailed directions regarding the procedure which is to be followed wherever the original parent deed is not produced. The paragraph No.17 of the said judgment is extracted hereunder:-



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W.P.No.73 of 2025

“17. As mentioned earlier, failure to produce original title document is not a ground to refuse registration provided petitioner satisfy third proviso to Rule 55-A(i). Therefore, the impugned Refusal Check Slip issued by the 2<sup>nd</sup> respondent in RFL/CHENNIMALAI/25/2024, dated 30.04.2024 is quashed and the petitioner is directed to represent the document before the 2<sup>nd</sup> respondent within a period of two weeks from today, along with an affidavit mentioning the fact of loss of original title document and untracability of the same. The petitioner shall also enclose newspaper advertisement issued by him in leading Tamil newspapers having wide circulation in Erode District. The Newspaper advertisement shall disclose loss of original title deed and intention of the Seller to convey the property. On fulfilment of these two conditions, the 2<sup>nd</sup> respondent is directed to register the same.”

4. Accordingly, this writ petition is disposed of on the same terms. No costs.

08.01.2025

Neutral Citation: Yes/No  
nsl



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**D.BHARATHA CHAKRAVARTHY, J.**

nsI

To  
The Sub-Registrar,  
Kunrathur Sub Registrar Office,  
Kunrathur Taluk,  
Kancheepuram District.

W.P.No.73 of 2025

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