



W.P (MD).No.1690 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No.1690 of 2025

and

W.M.P(MD)No.1195 of 2025

Poovayee

...Petitioner

Vs.

1.The District Registrar,
Department of Registration,
Madurai North,
Madurai.

2.The Sub-Registrar,
Vilangudi Sub-Registrar Office,
Vilangudi,
Madurai District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order/check slip passed by the second respondent RFL/Vilangudi/107/2023 dated 07.12.2023 and quash the same and consequently direct the second respondent to register the settlement deed dated 07.12.2023 and release the same within the time stipulated by this Court.



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For Petitioner : Mr.M.Kaliraj
For R1 & R2 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This writ petition has been filed challenging the refusal check slip issued by the second respondent, dated 07.12.2023 thereby refused to register the settlement deed on the ground that the petitioner failed to produce the house tax receipts for the subject property.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

4. The property comprised in T.S.No.1760 to an extent of 512 sq.ft situated at Door No.10A/1, Sivakami Street, Kattapomman Nagar, Sellur, Corporation Ward No.4, Survey Ward No.10, Madurai North Taluk, Madurai was purchased by the petitioner by the registered sale deed dated 27.11.1990 vide document No.5047 of 1990. The petitioner is residing in the said house



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and the said house is assessed with the corporation house tax. While being so, the petitioner had executed the settlement deed in favour of his son and presented the same for registration on 07.12.2023. The petitioner produced the house tax receipt, EB Bill and other relevant documents, however, the second respondent now insisted the petitioner to produce the house tax receipt for the said property.

5. On perusal of the house tax it is revealed that the door number is different. The petitioner is also ready and willing to file an undertaking affidavit to show that both the door numbers are one and the same. That apart, this Court repeatedly held that the registering authority cannot refuse to register the document on the ground that the document is not accompanied with Chitta, Adangal, FMB sketch i.e., revenue documents. That apart, the Inspector General of Registration has issued Circular No.22482/C1/2022 dated 12.07.2024 wherein it is also instructed that the registering authority not to insist on the revenue records while registering the documents.

6. In view of the above, the impugned refusal check slip issued by the second respondent, dated 07.12.2023 is quashed and the writ petition is allowed. The petitioner is directed to represent the settlement deed along with



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undertaking affidavit for registration before the second respondent and on receipt of the same, the second respondent is directed to register the same and release the document forthwith, if it is otherwise in order. No costs. Consequently, connected miscellaneous petitions are closed.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

23.01.2025

To

- 1.The District Registrar,
Department of Registration,
Madurai North,
Madurai.
- 2.The Sub-Registrar,
Vilangudi Sub-Registrar Office,
Vilangudi,
Madurai District.



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G.K.ILANTHIRAIYAN, J.

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