



W.P.(MD)No.4378 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.03.2025

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THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.4378 of 2024

S.Radha

... Petitioner

VS.

The Sub Registrar,
Registration Department,
Manapparai, Trichy District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned check slip in RFL/Manapparai/28/2024 dated 01.02.2024 issued by the respondent, quash the same as illegal and consequently direct the respondent to receive the certified copy of the previous sale deed in Doc.No.1126/1976 dated 12.02.1976 on the file of the respondent and to register the sale deed dated 31.01.2024 release the document presented by the petitioner as per the Registration Act 1908, within time.

For Petitioner :Mr.A.N.Ramanathan

For Respondent :Mr.R.Suresh Kumar

Additional Government Pleader



W.P.(MD)No.4378 of 2024

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ORDER

This Writ Petition challenges the refusal check slip issued by the respondent/Sub Registrar, Manaparai, dated 01.02.2024.

2.The petitioner sought to register a document. At the time of registration, she did not produce the original parent documents for the property sought to be alienated. Therefore, the respondent/Sub Registrar came to a conclusion that the document cannot be registered and issued the impugned check slip to that effect. Challenging the same, the present Writ Petition.

3.The issue as to whether original documents are essential for the purpose of carrying out the process of registration has been settled by a Division Bench of this Court in *P.Pappu vs- Sub Registrar, Rasipuram*, reported in **2024 (5) CTC 575**. The Division Bench held that a Sub Registrar cannot insist upon production of original document/parental deed of the subsequent document, as a condition precedent for registration.



W.P.(MD)No.4378 of 2024

WEB COPY

4.The view taken by the Division Bench found acceptance at the hands of the Hon'ble Supreme Court with the dismissal of the Special Leave Petition preferred by the State. The Special Leave Petition was dismissed on 03.02.2025.

5.In the light of above discussion, the Writ Petition is allowed. The impugned check slip issued by the respondent, dated 01.02.2024 is set aside. There shall be a direction to the respondent to register the document, which is the subject matter of the Writ Petition, if it is otherwise in order, without insisting upon the production of the original document. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

20.03.2025

cmr
To

The Sub Registrar,
Registration Department,
Manapparai, Trichy District.

3/4



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W.P.(MD)No.4378 of 2024

V. LAKSHMINARAYANAN, J.

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W.P.(MD)No.4378 of 2024

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