



W.P(MD)No.4885 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No. 4885 of 2025

Paul Nesakumar

... Petitioner

vs.

1. The District Registrar (Administration),
Office of the District Registrar,
Tirunelveli District,
Tirunelveli.

2. The Sub Registrar,
Sub Registration Office,
Mukkudal,
Tirunelveli District.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a *Writ of Certiorarified Mandamus*, calling for the records pertaining to the impugned Refusal Check Slip issued by the 2nd respondent in No. RFL/Mukkudal/3/2025 dated 07.01.2025 and quash the same as illegal and unconstitutional and consequently directing the 2nd respondent to register the sale deed presented by the petitioner and release the same within a time stipulated by this Court.

For Petitioner : Mr.A.P.Muthupandian

For Respondents : Mr.G.Suriya Ananth
Additional Government Pleader



W.P(MD)No.4885 of 2025

ORDER

WEB COPY

The present Writ Petition has been filed for the issuance of a *Writ of Certiorarified Mandamus* to quash the impugned Refusal Check Slip issued by the 2nd respondent dated 07.01.2025 and consequently direct the 2nd respondent to register the sale deed presented by the petitioner and release the same within a time stipulated by this Court.

2. The Learned counsel for the petitioner submitted that in the impugned order the 2nd respondent has stated that the petitioner has not submitted the original parent document registered in document NO.953/04. Therefore, the same was returned.

3. It is a settled principle of law that the original document need not be demanded by the registering authority. The authority has the power to register the document based on the identification of the parties. Therefore, the impugned order demanding the original document is erroneous and liable to be set aside.

4. Based on written instructions, the Learned Additional Government Pleader appearing for the respondents submitted that in O.S. No. 97 of 2014 on the file of the Sub Court, Ambasamudram, one Stephen Paulkani has obtained an order of attachment since the petitioner had not repaid the loan amount to Stephen



W.P(MD)No.4885 of 2025

Paulkani. Pending suit and attachment order are not impdiment to register the document. Therefore, this also cannot be a valid reason for refusing to register the document.

5. Therefore, the impugned Refusal Check Slip issued by the 2nd respondent dated 07.01.2025 is hereby quashed. The 2nd respondent is directed to register the document within a period of four weeks from the date of receipt of a copy of the order.

6. With these observations, this Writ petition is allowed. No Costs.

26.06.2025

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

To

1. The District Registrar (Administration),
Office of the District Registrar,
Tirunelveli District,
Tirunelveli.
2. The Sub Registrar,
Sub Registration Office,
Mukkudal,
Tirunelveli District.



WEB COPY



W.P(MD)No.4885 of 2025

S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.4885 of 2025**

DATED :26.06.2025