

W.P(MD)No.5886 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.5886 of 2025

Pappu @ Pappathi

..Petitioner

Vs

The Sub Registrar,
Office of the Sub Registrar,
Bodinaickkanur,
Theni District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the Impugned Refusal Check Slip passed by the respondent in Refusal Number RFL/Bodinaickkanur/6/2025 dated 07.02.2025 and quash the same and consequently direct the respondent to register the settlement deed dated 07.02.2025 submitted by the petitioner.

For Petitioner : Mr.K.Guhan
For Respondent : Mr.R.Sureshkumar
Addl. Govt. Pleader



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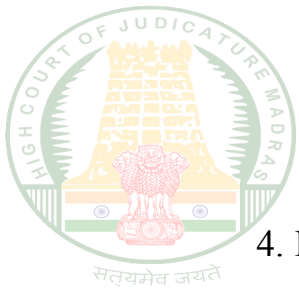
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ORDER

The petitioner seeks to quash the Impugned Refusal Check Slip passed by the respondent in Refusal Number RFL/Bodinaickkanur/6/2025 dated 07.02.2025 and direct the respondent to register the settlement deed dated 07.02.2025 submitted by the petitioner.

2. The petitioner states that the property situated in S.No.122/1 at Bodinaickkanur, Theni Taluk and District belonged to one Vadamalaimuthu Thevar. The said Vadamalaimuthu Thevar is her grandfather. Vadamalaimuthu Thevar purchased the abovesaid property from one Arunachala Servai. He had been in possession and enjoyment of the same till his demise. On his death, the property passed on to his son, Palanichamy. After the demise of the said Palanichamy, the petitioner is in possession and enjoyment of the same. The petitioner is the daughter of the said Palanichamy. She executed a settlement deed in favour of her husband, one Murugan on 07.02.2025. When she presented the document for registration, it was rejected by the respondent under the impugned order. Challenging the same, the present writ petition.

3. I heard Mr.K.Guhan for the petitioner and Mr.R.Sureshkumar, learned Additional Government Pleader for the respondent.

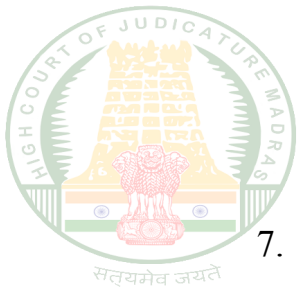


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4. Mr.K.Guhan pleads that the impugned order is liable to be set aside on account of the fact that the respondent is not entitled to seek correlation register or the parent deed and other documents related to the property.

5. Mr.R.Sureshkumar states that as the Sub Registrar was not able to ascertain with clarity the identity of the property, he had rejected the registration on the aforesaid grounds.

6. A perusal of the document presented for registration shows that the details of the property have been given with four boundaries, including the extent. In terms of the Rules, under the Registration Act, the Sub Registrar is entitled to convince and satisfy himself as regards the identity of the person, who is executing the document. The production of the original document is absolutely unnecessary for the purpose of registration. Insofar as the identity of the property is concerned, all the necessary details have already been given in the schedule to the settlement deed. The Sub Registrar need not exceed the power that is conferred on him under the Registration Act and Rules. The impugned order shows that he, in fact, has done so. Hence, I am not in a position to sustain the impugned order.



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7. Accordingly, this writ petition is allowed. The Impugned Refusal

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Check Slip passed by the respondent in Refusal Number RFL/Bodinaickkanur/6/2025 dated 07.02.2025 is quashed. The respondent/ Sub Registrar shall register the settlement deed executed by the petitioner in favour of her husband on 07.02.2025 within a period of two weeks from the date of receipt of a copy of this order.

8. Call the matter on 26.03.2025 for reporting compliance.

05.03.2025

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

To
The Sub Registrar,
Office of the Sub Registrar,
Bodinaickkanur,
Theni District.



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V.LAKSHMINARAYANAN, J.

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