



W.P.(MD)No.8651 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.8651 of 2024

R.Vasanth Gilbert

... Petitioner

vs.

1.The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai – 600 028.

2.The Sub Registrar,
Melapalayam Sub Registrar Office,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned Refusal Check Slip No.21/2024 dated 15.03.2024 issued by the second respondent and to quash the same as illegal and consequently to direct the second respondent to register the Settlement Deed, dated 15.03.2024 presented by the petitioner for registration.

For Petitioner :Mr.P.Ganapathi Subramanian
For Respondents :Mr.R.Suresh Kumar
Additional Government Pleader



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ORDER

This Writ Petition challenges the refusal check slip issued by the second respondent/Sub Registrar, Melapalayam, dated 15.03.2024.

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.



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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 second respondent, dated 15.03.2024 is set aside. There shall be a direction to the second 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
cmr

20.03.2025

To

1.The Inspector General of Registration,
Santhome High Road,
Santhome, Chennai – 600 028.

2.The Sub Registrar,
Melapalayam Sub Registrar Office,
Tirunelveli District.

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V. LAKSHMINARAYANAN, J.

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