



W.P.(MD)No.10420 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.(MD)No.10420 of 2024

Ramachandran

... Petitioner

VS.

The Sub Registrar,
Office of the Sub Registrar Office,
Valliyoor, Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal check slip in RFL/Valliyoor/21/2024, dated 05.04.2024 issued by the respondent and quash the same and consequently direct the respondent to register the document without insisting for the production of original parent document in Document No.2245/1952 on the file of the old Panagudi Sub Registrar Office, Tirunelveli District and as well as the revenue documents, within the time that may be stipulated by this Court.

For Petitioner :Mr.S.Sathyachidambaram
For Respondent :Mr.N.Ramesh Arumugam
Government Advocate



W.P.(MD)No.10420 of 2024

WEB COPY

ORDER

This Writ Petition challenges the refusal check slip issued by the respondent/Sub Registrar, Valliyoor, dated 05.04.2024.

2.The petitioner sought to register a document. At the time of registration, he 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.10420 of 2024

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 05.04.2024 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,
Office of the Sub Registrar Office,
Valliyoor, Tirunelveli District.



WEB COPY



W.P.(MD)No.10420 of 2024

V. LAKSHMINARAYANAN, J.

cmr

W.P.(MD)No.10420 of 2024

20.03.2025