

W.P.(MD).No.12771 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.12771 of 2025

Saraswathi

.. Petitioner

Vs.

The Sub Registrar,
Joint- 2 Sub Registrar Office,
Sivagangai District.

.. Respondents

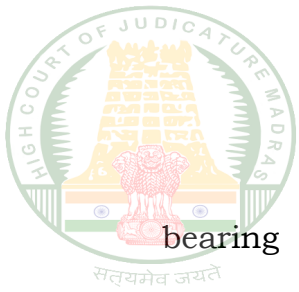
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the respondent vide check slip dated on 15.04.2025 thereby rejecting the registration of the document namely release deed dated on 15.04.2025 bearing pending document No.P/Sivagangai Joint II/17/2025 and quash the same as illegal and consequently directing the respondent to register the document presented by the petitioner for registration within the period that may be stipulated by this Court.

For Petitioner : Mr.V.G.Vallarasu Chezhiyan

For Respondent : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

This Writ Petition is filed challenging the impugned order of the respondent vide check slip dated on 15.04.2025, thereby, rejecting the registration of the document, namely, release deed dated on 15.04.2025



W.P.(MD).No.12771 of 2025

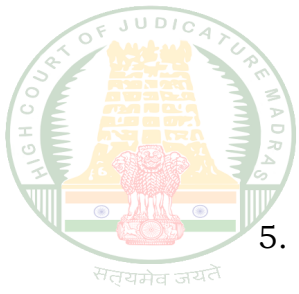
bearing pending document No.P/Sivagangai Joint II/17/2025 and consequently, to direct the respondent to register the document presented by the petitioner within a time period that may be stipulated by this Court.

2. The petitioner presented a release deed for registration on 15.04.2025. Though the document was received and given a pending number as P/Sivagangai Joint II/17/2025, it was not returned to the petitioner. The petitioner approached the respondent to find out the reason for non-return of the document. The respondent issued the impugned order stating as follows:

“இந்த ஆவணம் *revenue record* காரணமாக நிலுவையில் வைக்கப்பட்டுள்ளது. நிலுவையில் இருந்து விடுவிக்கப்பட்ட பின்னரே திரும்ப வழங்கப்படும்.”

3. I heard Mr.V.G.Vallarasu Chezhiyan for the petitioner and Mr.R.Suresh Kumar, learned Additional Government Pleader for the respondent.

4. Mr.Vallarasu Chezhiyan relies upon the judgment of this Court in ***Subramani Vs. the Sub Registrar, Rasipuram and another, W.P.No. 11056 of 2024 dated 26.04.2024***, to state that the respondent cannot insist on production of revenue records prior to registration of the documents.



W.P.(MD).No.12771 of 2025

5. Mr.R.Suresh Kumar, placing reliance upon the written instructions of the respondent, pleads that the document does not contain correct description.

6. I have carefully considered the submissions of both sides. I have gone through the records.

7. It has been settled by this Court in ***The Trust for Education and Rehabilitation of Disabled Orphans and Destitutes represented by its Managing Trustee v. The Inspector General of Registration, Chennai, 2002 (1) MLJ 244***, that a Sub Registrar cannot refuse registration on the ground that a document is not accompanied by revenue records. The said view was confirmed by this Court in *Subramani's* case (cited supra). Hence, the ground given in the impugned order cannot be sustained.

8. Insofar as the plea of Mr.R.Suresh Kumar that the document has not been described properly, I should point out that the same is not found in the impugned order. The impugned order cannot be improved by way of written instructions.

9. In the light of the above discussion, the impugned order is quashed. The Writ Petition stands allowed. There shall be a Mandamus to the



W.P.(MD).No.12771 of 2025

respondent to register the document, if it is otherwise in order and return the same to the petitioner. There shall be no order as to costs.

WEB COPY

29.04.2025

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

To
The Sub Registrar,
Joint- 2 Sub Registrar Office,
Sivagangai District.



WEB COPY



W.P.(MD).No.12771 of 2025

V.LAKSHMINARAYANAN,J.

Lm

W.P.(MD).No.12771 of 2025

29.04.2025