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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM:

THE HONOURABLE MRS JUSTICE S.SRIMATHY

W.P.(MD) No.20697 of 2025

IN

WMP(MD) Nos.16020 &16033 of 2025

Shanthi

... Petitioner

Vs

The Sub Registrar
Sub Registration Office, Cumbum,
Theni District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the impugned order Refusal Number RFL/Cumbum/40/2025 passed by the respondent dated 06.06.2025 and quash the same as illegal and consequently direct the respondent to register the settlement deed on 06.06.2025 presented by the petitioner for registration without insisting for the production of original parent document forthwith.



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For Petitioner : Mr.S.Krishnan,
For Respondents : Mr.D.Sasikumar,
Additional Government Pleader,

ORDER

The Present writ petition is filed to quash the impugned order Refusal Number RFL/Cumbum/40/2025 passed by the respondent dated 06.06.2025 and consequently to direct the respondent to register the settlement deed on 06.06.2025 presented by the petitioner for registration without insisting for the production of original parent document forthwith.

2.Through the impugned order, the respondent refused to register the settlement deed stating that the petitioner has not submitted the document along with the encumbrance certificate.

3.According to the petitioner, he has submitted the settlement deed, certified copy of the parent deed and patta along with the encumbrance certificate. But, the impugned order states that the petitioner has not submitted the encumbrance certificate. Even if the



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petitioner has not enclosed the encumbrance certificate, the respondent ought to have kept the document pending and directed the petitioner to produce the encumbrance certificate. Therefore, the impugned order is non application of mind. Hence, the same is liable to be quashed.

4. Accordingly, this writ petition is allowed. The impugned order Refusal Number RFL/Cumbum/40/2025 passed by the respondent dated 06.06.2025 is hereby quashed. The respondent is directed to register the settlement deed dated 06.06.2025 presented by the petitioner in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected writ miscellaneous petitions are closed.

30.07.2025

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

vsg



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To
The Sub Registrar
Sub Registration Office, Cumbum,
Theni District.



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S.SRIMATHY, J

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