



WEB COPY

WP No. 14822 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

WP No. 14822 of 2026

Rajaram

..Petitioner(s)

Vs

The Sub Registrar
Tirunavalur
Ulundurpet Taluk

..Respondent(s)

calling for the records of the respondent in respect of the Refusal check slip in RFL/Tirunavalur/20/2026 dated 27.3.2026 and quash the same and thereby direct the respondent to register the settlement deed dated 27.3.2026 executed by the petitioner in favour of his son and daughter and release the document forthwith to the petitioner.

For Petitioner(s): Mr.N.Suresh

For Respondent(s): Ms.Aswini Devi,AGP

Order

This writ petition has been filed, challenging the impugned refusal check slip dated 27.03.2026 issued by the respondent, refusing to register the settlement deed, presented by the petitioner for registration on the ground that the mortgage of the year 1951 has not been discharged.



2.The petitioner categorically contends before this Court that there is no necessity for the petitioner to produce the discharge receipt in respect of the mortgage of the year 1951, as by lapse of time, the said claim, if at all is true, has now become barred by limitation. The petitioner also contends that there is no necessity to produce the original parent document, as even according to the recitals in the settlement deed, presented by the petitioner for registration, the property is an ancestral property.

3.The petitioner has also challenged the impugned order on the ground of violation of principles of natural justice, as no opportunity of hearing was granted to the petitioner by the respondent prior to the issuance of the impugned refusal check slip.

4.Ms.Aswini Devi, learned Additional Government Pleader accepts notice on behalf of the respondent.

5.As seen from the impugned order, the contentions of the petitioner as raised in this writ petition have not been considered by the respondent. The petitioner was also not afforded any opportunity of hearing by the respondent prior to the issuance of the impugned refusal check slip.



6.This Court is not expressing any opinion on the merits of the respective contentions.

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7.Being a non-speaking order with regard to the contentions of the petitioner as raised in this writ petition and being an order passed in violation of the principles of natural justice, this Court is of the considered view that the impugned refusal check slip issued by the respondent has to be quashed and the matter has to be remanded back to the respondent for fresh consideration, on merits and in accordance with law.

8.Accordingly, this writ petition is disposed of and the impugned refusal check slip dated 27.03.2026 issued by the respondent is hereby quashed and the matter is remanded back to the respondent for fresh consideration, on merits and in accordance with law. The petitioner shall submit a written explanation to the respondent along with the supporting documents as to why there is no legal impediment for the respondent to register the settlement deed, presented by the petitioner for registration, within a period of one week from the date of receipt of a copy of this order. On receipt of the said written explanation from the petitioner along with the supporting documents within the stipulated time, the respondent shall, after giving due consideration to the written explanation submitted by the petitioner and the supporting documents produced by him, take



a final decision as to whether the settlement deed presented by the petitioner can be registered or not, within a period of three weeks thereafter. In case the respondent decides to refuse registration of the settlement deed, presented by the petitioner for registration, the respondent shall pass a speaking order with regard to the written explanation submitted by the petitioner and the supporting documents produced by him. No costs.

20-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VGA



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To

The Sub Registrar
Tirunavalur
Ulundurpet Taluk



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ABDUL QUDDHOSE J.

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