



W.P.(MD).No.5589 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-03-2026

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD).No.5589 of 2026

Sethuraman

... Petitioner

Vs.

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records pertaining to the respondent in Refusal Number RFL/Joint 2 Sub Registrar Sivagangai/10/2026 dated 13.02.2026 and quash the same as illegal and consequently direct the respondent to register the settlement deed dated 13.02.2026 presented by the petitioner for registration on 13.02.2026 in respect of the properties in Survey No. 35/14 for Survey No.35/14, to an extent of 705 sq.ft. (vacant site) and to an extent of 5874 sq.ft. (land with building), situated at Nattarasankottai Village, Kalaiyarkovil Taluk, Sivagangai District within a time frame and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



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For Petitioner : Mr.C.Suresh Kannan
For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

The writ petition has been filed to quash the impugned refusal check slip dated 13.02.2026 and direct the respondent to register the sale deed dated 13.02.2026.

2. Heard Mr.C.Suresh Kannan, learned counsel for the petitioner and Mr.D.S.Nedunchezian, learned Government Advocate, who takes notice for the respondents.

3. The grievance of the petitioner is that the petitioner had submitted the relevant documents before the respondent for registration. However, the same was rejected vide the impugned refusal check slip dated 13.02.2026, on the ground that the petitioner failed to produce the original title deed referred to in the document and the petitioner's father's name is mentioned as Rakappan in the proof of identity, whereas in the title document it is mentioned as Muthurakku.



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4. It is the contention of the petitioner that Rakkappan is his father's alias name and the original document is not traceable and he is in the process of obtaining the non-traceable certificate. He has also lodged a complaint.

5. In view of the amendment to the Act by the introduction of Section 34(C), it has been specifically made obligatory on the part of the presenter of the document either to produce the original document or if the original is missing or obtain not traceable certificate from the jurisdictional police authority.

6. Considering the nature of the allegations and the fact that the petitioner's document is believed to have gone missing and he is in the process of obtaining the non-traceable certificate, this writ petition is disposed of on the following terms:-

- i. The petitioner shall make a correction in the settlement deed by mentioning his father's name as Muthurakku alias Rakkappan and additionally an affidavit of indemnity shall also be filed stating that Muthurakku alias Rakkappan are one and the same person.



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- ii. The petitioner shall also obtain the Not Traceable Certificate in respect of the parent document and thereafter re-present the document.
- iii. Once the document is re-presented with such compliances as stated above, then the same shall be registered provided there is no other impediment.
- iv. No costs.

09.03.2026

Index: Yes
Speaking Order: Yes
Neutral Citation: No
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To

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



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D.BHARATHA CHAKRAVARTHY, J.

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