



W.P(MD)No.5568 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 02.03.2026

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THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

W.P(MD)No.5568 of 2026

Asik Ahamed

... Petitioner

Vs.

1.The District Registrar
Ramanathapuram District

2.The Sub Registrar
Sub Registrar Office
Keelakarai
Ramanathapuram District.

...Respondents

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to register the Settlement deed presented in TP.No.251795083/2026 dated 16.02.2026 in respect of the property in S.No.319/1C, Kanjirankudi Group, Keelakarai Taluk, Ramanathapuram District.

For Petitioner :Mr.B.Mahendrarajan

For Respondents :Mr.A.Baskaran
Additional Government Pleader



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ORDER

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The writ petition is filed directing the respondents to register the settlement deed presented in TP.No.251795083/2026 dated 16.02.2026 in respect of the property in S.No.319/1C, Kanjirankudi Group, Keelakarai Taluk, Ramanathapuram District.

2.It is the case of the petitioner that the property originally belonged to his grandfather. The grandfather had executed a settlement in favour of the grandmother. The grandmother in turn settled the property on her children, namely, the petitioner's mother and her uncle, Ameer. Thereafter, the petitioner's mother and the said Ameer had partitioned the properties and were in enjoyment of the respective extents. The petitioner's mother had passed away and subsequently, the petitioner's father and the children are all joint owners of the property, now, the petitioner wants to convey the undivided share to his own father by the settlement deed. When the same was presented, the same has not been registered and therefore, the petitioner is before this Court.

3.According to the petitioner, the original settlement deed is in respect of the larger extent that is with the uncle or would have been misplaced by now and they are not in a position to produce the same.



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4. *Per contra*, the learned Additional Government Pleader taking notice on behalf of the respondents would submit that Section 34-C came into force from 23.01.2026. By virtue of it, it is now clear that unless the original document is produced, the registration cannot be effected. Even if the document is said to be lost, the proviso makes it clear that they have to get appropriate non-traceable certificate. The petitioner has not even given any reasons as to why originals are not available and therefore, he would submit that at present, the document cannot be registered. In view of the same, the document is kept pending awaiting the further documents from the petitioner.

5. I have considered the rival submissions made and perused the medical records of the case.

6. In view of Section 34-C being inserted into the Registration Act, no exception whatsoever can be taken to the action of the respondents in not registering the document. Therefore, within a period of two weeks from the date of receipt of a web copy of this order, without waiting for the certified copy of this order, if the petitioner is in possession of the original document, he can produce the document either by himself or by taking his uncle, Ameer to the Sub Registrar. If he is able to produce the original document for perusal



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of the Sub Registrar, the same shall be registered. If the petitioner is not able to produce or if the document itself lost, it is for the petitioner to get non-traceable certificate in the manner known to law and thereafter only, he can register the document.

7.It is now stated that though the petitioner mentions the TP number, it is only the token number and the original document was shown to the Sub Registrar and was taken away by them. Therefore, if only the petitioner again represents the document along with the title document, the same shall be considered by the second respondent in the manner known to law.

8.The Writ Petition stands disposed of on the above terms. No costs.

02.03.2026

NCC : Yes / No

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To

1.The District Registrar
Ramanathapuram District



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2.The Sub Registrar
Sub Registrar Office
Keelakarai
Ramanathapuram District.



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D.BHARATHA CHAKRAVARTHY, J.

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