



W.P.(MD) No.12759 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.12759 of 2026

Pichaiya

... Petitioner

Vs.

The Sub Registrar,
O/o.The Sub Registrar Office,
Thiruvaiyaru,
Thiruvaiyaru Taluk,
Thanjavur District.

... Respondent

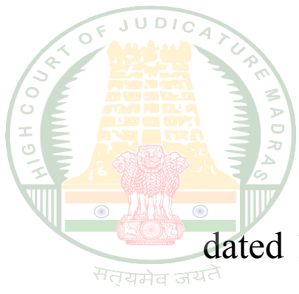
Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondent to register the four settlement deeds dated 10.10.2025 executed by the Petitioner in favour of his sons Kannan, Rajendran and his grandson Mohanraj without Original Parent document of Partition Deed No.417/1962 dated 30.04.1962, within a time limit to be fixed by this Court.

For Petitioner : Mr.M.Vivek

For Respondent : Mr.R.Parthiban
Standing Counsel

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondent to register the four settlement deeds



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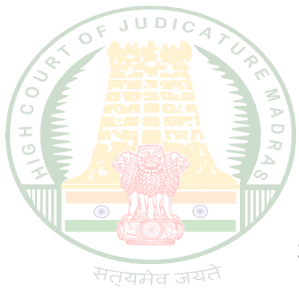
dated 10.10.2025 executed by the petitioner in favour of his sons, namely,

Kannan and Rajendran, and his grandson, namely, Mohan Raj.

2. The case of the petitioner is that the original parent document, namely, the partition deed bearing Document No.417 of 1962 dated 30.04.1962, could not be produced and, on the said ground, the documents presented by the petitioner were not received for registration.

3. Section 34-C of the Registration Act, 1908, has already been declared unconstitutional by the Division Bench of this Court in **M/s.Dugars, represented by its Partner v. The State of Tamil Nadu and Others** [W.P.(MD)No.7415 of 2026 etc., batch].

4. In view of the aforesaid declaration, the apprehension expressed by the petitioner no longer survives. The petitioner shall be entitled to re-present the document along with the certified copies of the registered partition deed. The registering authority shall consider the same and proceed with the registration in accordance with law.



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5. Accordingly, this Writ Petition is disposed of with the following

direction:

(i) The petitioner shall re-present the document along with the certified copies of the registered partition deed bearing Document No.417 of 1962 dated 30.04.1962.

(ii) Upon such re-presentation, the respondent shall receive and process the documents for registration without insisting upon production of the original parent document and shall complete the registration, if the documents are otherwise in order and if there exists no other legal impediment.

(iii) No costs.

25.06.2026

NCC : No
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To

The Sub Registrar,
O/o.The Sub Registrar Office,
Thiruvaiyaru,
Thiruvaiyaru Taluk,
Thanjavur District.



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D.BHARATHA CHAKRAVARTHY, J.

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