



W.P.(MD) No.12700 of 2026

WEB COPY

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.12700 of 2026

S.Muthu Prabha

... Petitioner

Vs.

The Sub-Registrar Joint - II,
Cheranmahadevi,
Tirunelveli District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari Mandamus, calling for the records relating to the impugned refusal check slip issued by the respondent RFL/Joint 1 Sub-Registrar Cheranmahadevi/7/2026 dated 05.03.2026 and quash the same and further directing the respondent to entertain the settlement deed dated 05.03.2026 for registration and consequently to register and release the same.

For Petitioner : Mr.A.Mohamed Haneef

For R1 : Mr.P.Rajagopalan
Government Standing Counsel

ORDER

This Writ Petition challenges the impugned refusal check slip, whereby the document presented by the petitioner for registration was refused on the ground that the original parent document, referred to and



W.P.(MD) No.12700 of 2026

relied upon in the instrument presented for registration, had not been produced and that no non-traceable certificate had been furnished.

2. The said refusal is founded upon Section 34-C of the Registration Act, 1908, as inserted by Tamil Nadu Act 1 of 2026.

3. By order dated **23.06.2026** in **M/s.Dugars, represented by its Partner v. State of Tamil Nadu and Others** [W.P.(MD) No.7415 of 2026 etc., batch], Section 34-C of the Registration Act, 1908, has already been declared unconstitutional.

4. In view of the aforesaid judgment, the legal position that prevailed prior to the insertion of Section 34-C would govern the present case. Consequently, the production of a certified copy of the parent document would suffice for the purpose of registration and the registering authority is bound to consider the same in accordance with law.

5. Accordingly, this Writ Petition is allowed on the following terms:

(i) The impugned refusal check slip is set aside.

The petitioner is permitted to re-present the document for registration along with a certified copy of the



WEB COPY



W.P.(MD) No.12700 of 2026

parent document. Upon such presentation, the registering authority shall process the document and complete the registration, if it is otherwise in order and if there exists no other legal impediment.

(ii) There shall be no order as to costs.

NCC : No
smn2

25.06.2026

To

The Sub-Registrar Joint - II,
Cheranmahadevi,
Tirunelveli District.



WEB COPY



W.P.(MD) No.12700 of 2026

D.BHARATHA CHAKRAVARTHY, J.

smn2

W.P.(MD) No.12700 of 2026

25.06.2026