



W.P.(MD) No.13083 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.13083 of 2026

A.Maria Selvam

... Petitioner

Vs.

- 1.The Secretary,
Department of Registration and Commercial Taxes,
State of Tamil Nadu, Chennai.
- 2.The Inspector General of Registration,
Department of Registration,
Chennai.
- 3.The District Registrar,
Office of the District Registrar,
Thoothukudi District.
- 4.The Sub Registrar,
Sathankulam,
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari Mandamus, calling for the records of the impugned refusal Check slip in RFL/Sathankulam/28/2026 dated 17.04.2026 issued by the fourth respondent herein and quash the same as illegal and further direct the fourth respondent herein to register and release the subject mentioned settlement deed dated 17.04.2026 without insisting for the production of the original Parent title deed in Document



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No.142/2021 (Sathankulam) and complete the registration process within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshi Sundaram

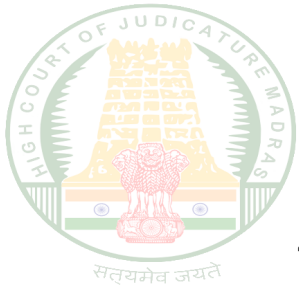
For Respondents : Ms.P.Sudarkodi Nachiar
Government Standing Counsel

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 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.



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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 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
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25.06.2026

To

1.The Secretary,
Department of Registration and Commercial Taxes,
State of Tamil Nadu, Chennai.



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2.The Inspector General of Registration,
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3.The District Registrar,
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4.The Sub Registrar,
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D.BHARATHA CHAKRAVARTHY, J.

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