



W.P.(MD) No.13549 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.13549 of 2026

S.Vasumathi

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Chennai-600 028.

2.The District Registrar,
24/169, Vettumani,
Marthandam- 629 165,
Kanyakumari District.

3.The Sub Registrar,
Palugal Sub Register Office,
Manivilai Post- 629 170,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorified Mandamus, calling for the records pertaining to impugned refusal slip bearing Inspection memo 1/2024 dated 08.01.2024 issued by the third respondent and quash the same and consequently directing the third respondent to register the settlement deed presented by the petitioner on 08.01.2024 in respect of property in Survey No.387 of Anducode A Village, Vilavancode Taluk, Kanyakumari



W.P.(MD) No.13549 of 2026

District, without insisting the production of original Will, within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

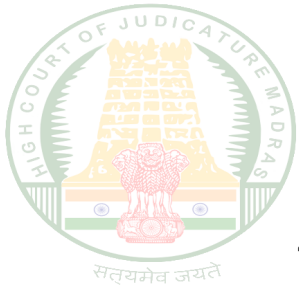
For Respondents : Mr.S.Vashik Ali
Government Standing Counsel

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.



W.P.(MD) No.13549 of 2026

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
smn2

25.06.2026

To

1.The Inspector General of Registration,
100, Santhome High Road,
Chennai-600 028.



W.P.(MD) No.13549 of 2026

2.The District Registrar,
24/169, Vettumani,
Marthandam- 629 165,
Kanyakumari District.

3.The Sub Registrar,
Palugal Sub Register Office,
Manivilai Post- 629 170,
Kanyakumari District.



WEB COPY



W.P.(MD) No.13549 of 2026

D.BHARATHA CHAKRAVARTHY, J.

smn2

W.P.(MD) No.13549 of 2026

25.06.2026