



W.P.(MD) No.14475 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.14475 of 2026

E.Narayanan

... Petitioner

Vs.

The Sub Registrar,
O/o.The Sub Registrar,
Bodinayakanur,
Theni District.

... Respondent

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 the impugned order of Rejection of Document for Registration RFL/Bodinayakanur/17/2026 dated 02.04.2026 on the file of the respondent and quash the same as illegal and consequently to direct the respondent to register the Sale deed dated 02.04.2026 in favour of one K.Prabhu, S/o.Rajkumar, executed by the petitioner within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondent : Mr.R.Parthiban
Government Standing Counsel



W.P.(MD) No.14475 of 2026

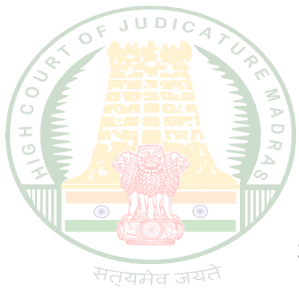
ORDER

WEB COPY 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.

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.



W.P.(MD) No.14475 of 2026

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

The Sub Registrar,
O/o.The Sub Registrar,
Bodinayakanur,
Theni District.



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W.P.(MD) No.14475 of 2026

D.BHARATHA CHAKRAVARTHY, J.

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W.P.(MD) No.14475 of 2026

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