



W.P.(MD) No.14205 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.14205 of 2026

Pugalendhi

... Petitioner

Vs.

The Sub Registrar,
Joint-II Sub Registrar Office Karaikudi,
Karaikudi, Sivagangai 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 pertaining to the impugned refusal check slip in No.RFL/Joint II Sub Registrar Karaikudi/25/2026 dated 09.05.2026 on the file of the respondent, quash the same and consequently direct respondent to register the sale deed dated 09.05.2026 presented by the petitioner based on the registered Sale Deed bearing Document No.5928/2019 dated 22.10.2019 without insisting upon production of the original parent sale deed, within a time frame to be stipulated by this Court.

For Petitioner : Mr.RM.Arun Swaminathan

For Respondent : 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



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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.

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



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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

The Sub Registrar,
Joint-II Sub Registrar Office Karaikudi,
Karaikudi, Sivagangai District.



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D.BHARATHA CHAKRAVARTHY, J.

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