



W.P.(MD) No.14817 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.14817 of 2026

Vimala

... Petitioner

Vs.

The Sub Registrar,
Theni District, Theni.

... 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 order made by the respondent proceeding in Refusal Check Slip No.RFL/THENI/33/2026 dated 19.05.2026 and quash the same as illegal and consequently, direct the respondent to register any document in respect of the petitioner's property bearing Survey No.658/1 of house site with an extent of 1 Acre 16 Cents in which center second plot in which Eastern side of Western side measuring Cent 1 ½ and 21 square feet admeasuring East West 22 ½ ft and North South 30 feet totally 675 Square feet of vacant site, comprised Koduvilarpatti Village, Hamlet of Gopalapuram B15 Ward, Theni Taluk, Theni Sub Registration District, Periyakulam Registration District, Theni District. The above said vacant site comprised in New Patta No.2221 bearing Survey No.658/1A.

For Petitioner : Mr.M.Beema Rao



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W.P.(MD) No.14817 of 2026

For Respondent : Mr.P.Rajagopalan
Government Standing Counsel

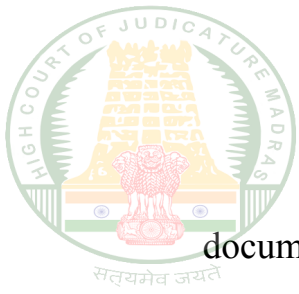
ORDER

This Writ Petition challenges the impugned refusal check slip, whereby the document presented by the petitioner for registration was 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



W.P.(MD) No.14817 of 2026

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

The Sub Registrar,
Theni District, Theni.



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W.P.(MD) No.14817 of 2026

D.BHARATHA CHAKRAVARTHY, J.

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W.P.(MD) No.14817 of 2026

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