



W.P.(MD) No.14836 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.14836 of 2026

Rajalingam

... Petitioner

Vs.

The Sub Registrar,
Theni Sub Registration,
Theni 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 relating to the impugned order made by the respondent proceeding in Refusal Check Slip No.RFL/THENI/32/2026 dated 24.04.2026 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.568/1 with an extent of 2.6.00 Hectares are equal to 5 Acres 10 Cents, Survey No.569/1, measuring 61 cents in total extent 5 Acres 71 Cents as per subdivision comprised in Survey No.568/1 in which middle portion measuring 95 Cents of Punja Land comprised Koduvilarpatti Village, Hamlet of Sivalinganayakkanpatti, Theni Taluk, Theni Sub Registration District, Periyakulam Registration District, Theni District.

For Petitioner : Mr.M.Beema Rao



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

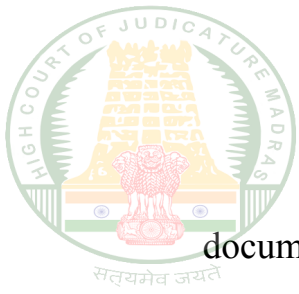
ORDER

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.

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



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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

The Sub Registrar,
Theni Sub Registration,
Theni District.



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D.BHARATHA CHAKRAVARTHY, J.

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