



W.P.(MD) No.15413 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.15413 of 2026

and

W.M.P.(MD)No.11548 of 2026

Kaleeswari

... Petitioner

Vs.

1.The Inspector General of Registration,
Santhome High Road, Santhome,
Chennai.

2.The Sub-Registrar,
Kaayalpattinam Sub Registrar Office,
Thoothukudi 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 entire records relating to the impugned refusal check slip issued by the second respondent bearing its No.RFL/Kaayalpattinam/37/2026 dated 26.05.2026 and quash the same and consequently, direct the second respondent to register the gift deed presented on 26.05.2026 for registration without insisting for production of the original parent deed.

For Petitioner : Mr.P.Edin Brough

For Respondents : Mr.R.Parthiban
Government Standing Counsel



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ORDER

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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.



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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.

Consequently, the connected Miscellaneous Petition is closed.

NCC : No
smn2

25.06.2026

To

1.The Inspector General of Registration,
Santhome High Road, Santhome,
Chennai.

2.The Sub-Registrar,
Kaayalpattinam Sub Registrar Office,
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D.BHARATHA CHAKRAVARTHY, J.

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