



W.P.(MD) No.17366 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.17366 of 2026

Vasanthi

... Petitioner

Vs.

1.The District Registrar,
Tenkasi District, Tenkasi.

2.The Sub Registrar,
Karivalamvandanallur Sub Registrar Office,
Tenkasi 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 records pertaining to the impugned check slip issued by the second respondent in Refusal Number : RFL/Karivalamvandanallur/52/2026 dated 14.05.2026 and quash the same as illegal and arbitrary and further direct the second respondent to register the release deed dated 06.04.2026 which was submitted by the petitioner's daughters with regard to property Survey No. 525/3A to an extend of 7.4 cents, Survey No.525/3B to an extent of 2 acre 12 cents, Survey No.526/2 to an extent of 2 Acre 28 Cents and Survey No. 639/2C to an extent of 1.2 cents and thus, totally, 4 Acres 49 cents, situated at Vayali Village, Sankarankovil Taluk, Tenkasi District.



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For Petitioner : Mr.A.Syed Sulthan Alaudheen

For Respondents : 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



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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 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

1.The District Registrar,
Tenkasi District, Tenkasi.

2.The Sub Registrar,
Karivalamvandanallur Sub Registrar Office,
Tenkasi District.



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D.BHARATHA CHAKRAVARTHY, J.

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