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Transforming Property Registration in 2026 from Paper Records to Digital Platforms

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ABSTRACT

Property ownership is fundamental to economic security and social stability. However, the Indian property registration system continues to operate under a presumptive title regime, whereby registration evidences a transaction but does not guarantee ownership. Consequently, purchasers bear the responsibility of verifying title, often resulting in title disputes, fraudulent transfers, and prolonged litigation. In Tamil Nadu, Rule 55-A of the Registration Rules sought to strengthen documentary verification by requiring the production of original title documents at the time of registration. However, in K. Gopi v. Sub-Registrar, the Supreme Court reaffirmed that registering authorities lack adjudicatory powers to determine title and cannot refuse registration on that basis, thereby limiting the operation of Rule 55-A. In response, the Registration (Tamil Nadu Amendment) Act, 2025 introduced Section 34-C into the Registration Act, 1908, mandating the production of parent title deeds, encumbrance certificates, and other supporting documents before registration. The amendment seeks to strengthen documentary scrutiny while remaining consistent with the statutory framework governing registration. This paper critically examines the legal and practical implications of Section 34-C, its role in preventing fraudulent property transactions, and its interaction with the principles governing property registration. It further evaluates the opportunities and challenges presented by digital registration and e-conveyancing, particularly with respect to transparency, data protection, and procedural fairness. The study concludes that although Section 34-C enhances transactional security through improved verification, comprehensive legal reforms, technological integration, and institutional coordination remain essential for developing a transparent, reliable, and secure property registration system while preserving the constitutional protection of property rights.

Keywords: *property registration reform, digital land governance, Section 34-C, STAR 3.0, Aadhaar authentication, electronic evidence, privacy and proportionality, Tamil Nadu property law reform*

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I. INTRODUCTION

Property occupies a central place in the economic and social life of individuals. For most people, the purchase of land, a house, or an apartment represents the largest financial investment made during their lifetime, often acquired through years of savings, loans, or the accumulation of family resources. Immovable property not only provides security of residence and economic stability, but also serves as a valuable asset that can be transferred to future generations. Individuals frequently invest their life earnings in property with the expectation that it will appreciate in value and provide long-term financial security. In many cases, property is also used for broader social and charitable purposes; owners may donate land or buildings to religious institutions, charitable trusts, or public endowments for educational, religious, or community welfare activities. Because property transactions involve significant financial stakes and long-term interests, the legal system must ensure that ownership rights are properly protected and that transactions are transparent and secure.¹

From a constitutional perspective, property rights in India have undergone significant evolution. Originally, the right to property was recognised as a fundamental right under Articles 19(1)(f) and 31 of the Constitution. However, following the 44th Constitutional Amendment, 1978, the right to property was removed from the list of fundamental rights and is now protected as a constitutional legal right under Article 300A, which provides that no person shall be deprived of his or her property except by authority of law. Although property is no longer a fundamental right, the Constitution still ensures that the State cannot arbitrarily interfere with property ownership without legal justification. This constitutional protection highlights the importance of maintaining a reliable and transparent property registration system, as secure property rights are essential for economic stability, social justice, and the rule of law. Indian courts have consistently emphasised the importance of property rights and the need for fairness and legality in matters affecting ownership. In *K.T. Plantation Pvt. Ltd. v. State of Karnataka*,² the Supreme Court held that although the right to property is no longer a fundamental right, it remains a valuable constitutional right, and any deprivation of property must be supported by lawful authority and satisfy the requirements of fairness and public purpose. Similarly, in *State of Haryana v. Mukesh Kumar*,³ the Court observed that the right to property is not only a constitutional right but also a human right, and the State cannot dispossess a citizen of property without following due process of law.

¹ R. Stein, *The 'Principles, Aims, and Hopes' of Title by Registration*, 9(2) ADELAIDE LAW REVIEW 267 (1983).

² *K.T. Plantation Pvt. Ltd. v. State of Karnataka*, (2011) 9 SCC 1.

³ *State of Haryana v. Mukesh Kumar*, (2011) 10 SCC 404.

II. PRESUMPTIVE TITLE SYSTEM IN INDIA

The system of property registration in India is founded on the principle of presumptive title, under which the registration of a document does not, by itself, confer or guarantee ownership but merely records the fact of a transaction. Accordingly, the registration records serve as evidence of the execution of documents relating to immovable property, while the determination of legal ownership depends upon the validity of the title deeds and, where disputes arise, adjudication by competent civil courts. Since the State does not guarantee title under this system, the responsibility for verifying ownership rests primarily upon the parties to the transaction, particularly the purchaser. Consequently, purchasers are required to undertake comprehensive due diligence by examining the chain of title through parent documents, encumbrance certificates, revenue records, and other relevant documentary evidence before acquiring property.

The limitations of the presumptive title system have been widely acknowledged. The absence of a State-guaranteed title facilitates fraudulent conveyances, multiple transfers of the same property, and disputes arising from defective, incomplete, or uncertain title. In contrast, a conclusive title system provides a definitive and State-backed record of ownership, thereby minimising disputes and enhancing certainty in land transactions. The Indian registration framework, however, continues to rely upon private verification of title and judicial resolution of disputes after the transaction has taken place, often resulting in protracted litigation, increased transaction costs, and reduced confidence in the property market. Recognising these deficiencies, various expert committees and law reform bodies have recommended a gradual transition towards a conclusive land titling system to strengthen legal certainty, improve the efficiency of land administration, and promote greater security in property transactions. The D.C. Wadhwa Committee (1989) recommended replacing the presumptive system with a system of conclusive title, while the Venkatachaliah Commission similarly emphasised the need for State-guaranteed ownership of land as part of broader administrative reforms.⁴

In furtherance of these objectives, the Government of India launched the National Land Records Modernization Programme (NLRMP) in 2008 with the objective of modernising land records, improving transparency, reducing land-related disputes, and laying the foundation for a system of conclusive and guaranteed land titles. The programme envisaged the computerisation of land records, digitisation of cadastral maps, integration of registration and revenue records, and the establishment of a modern land information management system. Despite these initiatives, the

⁴ Ministry of Rural Development, REPORT OF THE COMMITTEE ON UPDATING OF LAND RECORDS (D.C. Wadhwa Committee, Government of India 1989).

presumptive title system continues to constitute the legal basis of property registration in India. This is largely attributable to the historical evolution of the registration framework and the constitutional distribution of legislative competence, under which land and land administration fall primarily within the domain of the States. Consequently, reforms have largely focused on strengthening procedural safeguards rather than fundamentally altering the legal character of the registration system.

Within this framework, States have introduced various legislative and administrative measures to enhance the integrity of property transactions. In Tamil Nadu, Rule 55-A of the Tamil Nadu Registration Rules, 1949 represented an important attempt to strengthen documentary verification by requiring the production of original title documents and other supporting records at the time of registration. Although the rule did not alter the presumptive nature of title under the Registration Act, 1908, it sought to minimise fraudulent transactions by enhancing scrutiny during the registration process.⁵

These safeguards are further supported by the substantive obligations imposed under the Transfer of Property Act, 1882, particularly Section 55, which codifies the reciprocal rights and duties of sellers and buyers. The seller is under a statutory obligation to disclose material defects in title that are not discoverable through ordinary care, produce title documents for inspection, answer relevant questions relating to the property, discharge undisclosed encumbrances, and ensure that the property is capable of being lawfully transferred. Correspondingly, the purchaser is required to exercise reasonable diligence by examining the title, raising appropriate enquiries, and paying the agreed consideration in accordance with the contract. In addition, the Registration Act, 1908 prescribes procedural safeguards by requiring the appearance of the executants before the registering authority and their admission of execution before registration. Although these statutory provisions do not confer conclusive title, they collectively seek to promote transparency, good faith, and authenticity in property transactions while reducing the risks of fraud, impersonation, and defective conveyances.

III. RULE 55-A AND THE INCREASED BURDEN OF DUE DILIGENCE ON PURCHASERS

Rule 55-A of the Tamil Nadu Registration Rules, 1949, was introduced as an administrative safeguard to strengthen scrutiny during the registration of documents relating to immovable property. The principal purpose of the rule was to prevent fraudulent transactions,

⁵ Government of Tamil Nadu, G.O. Ms. No. 135, Commercial Taxes and Registration (J1) Department, dated 17 August 2022, inserting Rule 55-A into the Tamil Nadu Registration Rules, 1949, published in the Tamil Nadu Government Gazette.

impersonation, and multiple sales of the same property by requiring the parties presenting a document for registration to produce supporting documents establishing their authority to transfer the property. In particular, the rule emphasised the production of original title deeds or parent documents so that the registering authority could verify the existence of prior transactions and ensure that the person executing the document had a legitimate connection with the property. The underlying rationale was to enhance transparency in property transactions and reduce the possibility of misuse of the registration process. However, the scope of the registrar's powers in this context has long been debated in light of the principle that the registration system in India primarily records documents rather than adjudicating ownership disputes. Judicial decisions have clarified the limits of the registering authority's role. In *Thota Ganga Laxmi v. Government of Andhra Pradesh*,⁶ the Supreme Court observed that the registering authority does not have the power to decide complicated questions relating to title and that ownership disputes must be resolved by competent civil courts. Similarly, in *Latif Estate Line India Ltd. v. Hadeeja Ammal*,⁷ the Court reiterated that registration of a document does not by itself confer title and that the registrar cannot assume adjudicatory powers beyond those provided by statute. These decisions reflect the broader principle of deed registration, under which the register serves primarily as a record of transactions rather than a conclusive determination of ownership. At the same time, doctrines such as *lis pendens*⁸ emphasise that property transactions during pending litigation remain subject to the outcome of the dispute, reinforcing the need for caution and verification during registration. Within this legal framework, Rule 55-A represented an attempt by the State to introduce additional safeguards by requiring the production of original title deeds, while still operating within the procedural limits of the registration system. The effect of Rule 55-A was that it placed a heightened burden of diligence on the purchaser by making verification of title an essential part of the registration process. Since the rule required the production of original parent documents and supporting records, the purchaser could not proceed casually with the transaction but was compelled to examine the authenticity and continuity of the seller's title. This reduced the possibility of fraudulent transfers and multiple sales of the same property, while also discouraging reliance on registration as a mere formality.⁹ At the same time, it increased the practical responsibility on purchasers, as failure to verify documents could expose them to legal disputes, defective title, or financial loss. Thus, the rule

⁶ *Thota Ganga Laxmi v. Government of Andhra Pradesh*, (2010) 15 SCC 207.

⁷ *Latif Estate Line India Ltd. v. Hadeeja Ammal*, AIR 2011 Mad 66 (Full Bench).

⁸ Transfer of Property Act, 1882, s 52 (*lis pendens*).

⁹ Government of Tamil Nadu, The Registration (Tamil Nadu Second Amendment) Rules, 2022, inserting Rule 55-A into the Tamil Nadu Registration Rules, 1949, vide G.O. Ms. No. 135, Commercial Taxes and Registration (J1) Department, dated 17 August 2022, published in the Tamil Nadu Government Gazette.

strengthened transactional security but also made property acquisition more document-intensive and responsibility-driven for buyers.

IV. JUDICIAL INTERVENTION: *K. GOPI V. SUB-REGISTRAR*

A significant judicial intervention in the field of property registration arose in the case of *K. Gopi v. Sub-Registrar*,¹⁰ which addressed the scope of the registering authority's powers under the registration framework.¹¹ The dispute arose when a sale deed was executed in respect of property situated in Tamil Nadu. When the document was presented for registration, the Sub-Registrar refused to register the sale deed on the ground that the executant had failed to produce sufficient documents to establish clear title over the property. The refusal was based on Rule 55-A of the Tamil Nadu Registration Rules, 1949, which required the production of original title documents and empowered the registering authority to examine the legitimacy of the transaction before registering the document. The matter eventually reached the Supreme Court, where the Court examined whether the powers granted under Rule 55-A were consistent with the scheme of the Registration Act, 1908. The Supreme Court observed that the role of the registering authority under the Registration Act is primarily administrative and procedural, limited to verifying the identity of the parties, ensuring proper execution of the document, and confirming compliance with statutory requirements such as payment of stamp duty and presentation of the document. The Court held that the Registrar does not possess adjudicatory powers to determine the validity of title or resolve disputes relating to ownership, as such matters fall within the jurisdiction of civil courts. The ruling in *K. Gopi v. Sub-Registrar*¹² has not been overruled. The Supreme Court's declaration that Rule 55-A(i) of the Tamil Nadu Registration Rules, 1949 was *ultra vires* the parent statute still stands as a legal precedent. The Court held that the powers granted to the Sub-Registrar under that rule went beyond the scope of the Registration Act, 1908 because the Act only allows the registering authority to verify procedural compliance such as identity of parties, execution of the document, and payment of stamp duty, and not to adjudicate questions of title. Therefore, the Registrar cannot refuse registration merely because he doubts the ownership or title of the executant. However, the practical effect of the judgment was later addressed through legislation rather than by overruling the case. After the Supreme Court invalidated the rule, the Government of Tamil Nadu enacted the Registration (Tamil Nadu Amendment) Act, 2025, which introduced Section 34-C into the Registration Act as applicable to Tamil Nadu. Thus, the judgment itself continues to remain

¹⁰ *K. Gopi v. The Sub-Registrar*, [2025] 5 SCR 47 (SC).

¹¹ Mondaq, *Drawing the Line: Supreme Court Reaffirms the Administrative Role of Sub-Registrars in K. Gopi v. Sub-Registrar* (last visited 21 March 2026).

¹² *K. Gopi v. The Sub-Registrar*, supra note 10.

valid, but the legal landscape has changed through statutory amendment, which now provides a stronger legal basis for document verification during property registration in Tamil Nadu.

V. LEGISLATIVE RESPONSE: REGISTRATION (TAMIL NADU AMENDMENT) ACT, 2025

The omission of Rule 55-A gave rise to significant concerns regarding the increased vulnerability of the property registration system to fraudulent transactions, including impersonation, multiple conveyances of the same property, and the registration of documents without adequate verification of title. The absence of documentary safeguards created apprehensions that the registration process would revert to a purely procedural exercise, thereby diminishing its role in preventing fraudulent transfers. In response to these concerns, the Government of Tamil Nadu enacted the Registration (Tamil Nadu Amendment) Act, 2025, which came into force upon its notification in January 2026. The amendment inserted Section 34-C into the Registration Act, 1908, as applicable to the State of Tamil Nadu. Unlike Rule 55-A, which derived its authority from subordinate legislation and was ultimately declared *ultra vires*, Section 34-C forms part of the parent statute itself, thereby providing a stronger legislative foundation for documentary verification during registration. The primary legislative objective of the amendment is to restore appropriate safeguards against fraudulent transactions while remaining consistent with the statutory scheme of the Registration Act and the judicial limitations on the powers of registering authorities.

Section 34-C prescribes mandatory conditions that must be satisfied before any document relating to immovable property is accepted for registration. The provision requires the presenter to produce the previous original title deed or parent document through which the transferor acquired ownership, together with a recent encumbrance certificate obtained within the prescribed period prior to the presentation of the document. It further provides for situations involving mortgaged properties, prior agreements for sale, and cases in which original title documents are unavailable due to loss or other legally recognised circumstances. By incorporating these requirements directly into the Registration Act, the amendment seeks to strengthen documentary scrutiny, improve the authenticity of property transactions, and reduce the incidence of fraudulent conveyances without conferring adjudicatory powers upon the registering authority. In this manner, Section 34-C represents a legislative attempt to strike a balance between preserving the procedural nature of registration and ensuring a reasonable degree of verification necessary to protect the integrity of the property registration system. It requires the presenter to produce the previous original title deed or parent document through

which the transferor acquired ownership, together with a recent Encumbrance Certificate obtained within the prescribed period preceding registration.¹³ The provision further addresses circumstances where the property is encumbered by a mortgage, where a prior agreement for sale has been executed, or where the original title documents are unavailable due to loss or other valid reasons. By incorporating these requirements into the statutory framework, the amendment seeks to enhance the authenticity of title verification, strengthen the integrity of the registration process, and minimise the risk of fraudulent property transactions without transforming the registration authority into an adjudicatory body.

VI. SECTION 34-C: MANDATORY CONDITIONS FOR REGISTRATION OF PROPERTY DOCUMENTS

The introduction of Section 34-C through the Registration (Tamil Nadu Amendment) Act, 2025, aims to strengthen the verification process during registration and to prevent fraudulent property transactions by ensuring that the person executing the document possesses lawful authority over the property.¹⁴ One of the principal requirements introduced by Section 34-C is the mandatory production of the original title deed or parent document through which the executant acquired ownership of the property. This requirement is intended to establish the transferor's lawful connection with the property and to enable the registering authority to verify the continuity of the chain of title through previously registered instruments. In addition to the parent document, the provision mandates the production of a recent Encumbrance Certificate obtained within the prescribed period preceding the presentation of the document for registration. The Encumbrance Certificate serves as an important instrument for verifying whether the property is subject to any registered conveyances, mortgages, charges, or other encumbrances, thereby enabling prospective purchasers to identify existing liabilities and reducing the likelihood of transactions involving undisclosed interests.

Section 34-C also prescribes additional safeguards for transactions involving encumbered properties and prior contractual rights. Where the property is subject to an existing mortgage or other financial charge, the executant is required to produce a No Objection Certificate (NOC) from the mortgagee or secured creditor before registration can be completed. This requirement protects the interests of financial institutions by preventing the transfer of mortgaged property without the knowledge and consent of the secured creditor. Similarly, where an earlier

¹³ Registration Act 1908, s 34-C (as inserted by the Registration (Tamil Nadu Amendment) Act, 2025 (Tamil Nadu Act 1 of 2026)).

¹⁴ Rita Sinha, *Moving Towards Clear Land Titles in India*, in INNOVATION IN LAND RIGHTS RECOGNITION, ADMINISTRATION, AND GOVERNANCE (The World Bank 2010).

agreement for sale in respect of the same property remains enforceable and the limitation period for seeking specific performance has not expired, the provision authorises the registering authority to decline registration of a subsequent conveyance to prevent conflicting transfers and protect the rights of prior agreement holders.¹⁵

Recognising the practical difficulties associated with long-standing property ownership, Section 34-C also provides exceptions where original title documents are unavailable. In the case of ancestral or inherited property, where the original parent deed may no longer exist or cannot reasonably be traced, the executant may establish title by producing alternative documentary evidence, including revenue records, inheritance documents, or other records demonstrating lawful ownership or possession. Likewise, where the original title deed has been lost or destroyed, registration may proceed upon the production of appropriate supporting documents, such as a police complaint, a non-traceable certificate issued by the competent authority, and proof of public notice regarding the loss of the original document. These provisions seek to accommodate genuine cases where strict compliance is impracticable while maintaining adequate safeguards against fraudulent claims. Collectively, the requirements prescribed under Section 34-C strengthen documentary verification at the stage of registration and seek to reduce the incidence of fraudulent conveyances, multiple transfers, and transactions founded upon defective or fabricated title documents. Although the provision does not transform the Indian system of presumptive title into one of conclusive title, it significantly enhances the integrity and reliability of the registration process by ensuring that property transfers are supported by credible documentary evidence and are subject to greater procedural scrutiny.

VII. EXEMPTIONS UNDER SECTION 34-C

While Section 34-C introduces mandatory conditions for the registration of documents relating to immovable property, the provision also recognises certain circumstances where strict compliance with these requirements may not be necessary. Accordingly, the section provides specific exemptions to ensure that the registration process remains practical and does not unnecessarily hinder transactions carried out by public authorities or institutions acting within their statutory powers. One of the primary exemptions applies where the Government is the executant of the document. In such cases, the production of previous original title documents may not be required because property transactions executed by the government generally arise from statutory powers, land acquisition proceedings, public allotments, or administrative

¹⁵ Registration Act 1908, s 34-C, *supra* note 13, ss 34-C(2)-(5).

transfers. Since the government's authority over such property is established through official records and statutory processes, the requirement of producing a parent title document for verification may not be necessary.

Similarly, exemptions are provided for transactions executed by statutory authorities or public bodies established under law. Entities such as development authorities, housing boards, and other government agencies frequently execute property transactions as part of statutory functions such as land development, housing schemes, or infrastructure projects. Requiring the production of traditional title documents in such cases may be impractical because the authority to deal with the property arises from legislative or administrative powers rather than conventional private ownership.

In addition to these specific exemptions, Section 34-C also empowers the State Government to notify other classes of documents or transactions that may be exempt from the requirements of the provision. This enabling power allows the government to respond to practical administrative needs and evolving circumstances by identifying categories of transactions where strict document verification may not be necessary. Such flexibility ensures that while Section 34-C strengthens safeguards against fraudulent property transactions, it does not obstruct legitimate transactions carried out by public authorities or other specified entities under the authority of law.

This reform is further operationalised through the introduction of the STAR 3.0 (Sprint 1) digital platform,¹⁶ which supports the implementation of the statutory requirements under Section 34-C by enabling structured verification of property-related records. Through the integration of digitised document¹⁷ repositories and streamlined workflows, the system facilitates access to parent documents, encumbrance records, and related data, thereby strengthening the process of registration beyond mere procedural recording. As a result, the registration framework increasingly incorporates elements of automated validation and data-driven scrutiny. This transformation also raises important legal questions concerning the evidentiary value and admissibility of electronically maintained land and registration records, particularly in light of the provisions governing documentary and electronic evidence under the Bharatiya Sakshya Adhiniyam, 2023. At the same time, it redefines the role of the registering authority from a purely procedural functionary to a statutory checkpoint responsible for ensuring the authenticity, integrity, and transparency of property transactions without assuming adjudicatory powers over questions of title.

¹⁶ Government of Tamil Nadu, Registration Department, STAR 3.0 (Sprint 1) Digital Registration Platform (2026).

¹⁷ Tapiwanashe, *E-Conveyancing* (2024).

A crucial dimension of this transformation lies in the doctrinal tension between the traditional deed registration system and the emerging framework of enhanced verification under Section 34-C.¹⁸ The Indian registration system has historically operated on the principle that registration does not confer title but merely records transactions, leaving questions of ownership to be adjudicated by civil courts. This position was firmly reiterated in *K. Gopi v. Sub-Registrar*,¹⁹ where the Supreme Court held that the registering authority cannot assume adjudicatory powers over title and declared Rule 55-A *ultra vires* for exceeding the scope of the Registration Act, 1908. The introduction of Section 34-C represents a legislative response to this limitation, attempting to reintroduce safeguards against fraudulent transactions within a statutory framework. However, by mandating verification of parent documents and related records, the amendment subtly shifts the registrar's role from a purely procedural authority towards a function that resembles preliminary title scrutiny, thereby creating a hybrid model that blurs the line between registration and adjudication.

This shift must also be examined within the broader constitutional framework governing property rights under Article 300A of the Constitution of India, which requires that deprivation of property occur only by authority of law and in a manner that is fair and non-arbitrary. While the amendment seeks to enhance transparency and prevent fraud, the increasing reliance on digital infrastructure, automated validation systems, and biometric authentication introduces new concerns relating to accessibility, exclusion, and informational privacy.²⁰ In particular, technological barriers and authentication failures may disproportionately affect certain individuals, raising questions about procedural fairness. These concerns must be evaluated in light of the proportionality standard articulated in *Justice K.S. Puttaswamy v. Union of India*,²¹ especially with respect to the collection, storage, and use of personal data within centralised registration systems.

VIII. RECOMMENDATIONS FOR STRENGTHENING THE PROPERTY REGISTRATION AND E-CONVEYANCING SYSTEM

The transition from conventional property registration to digital registration and e-conveyancing presents a significant opportunity to enhance transparency, efficiency, and accessibility in property transactions. Nevertheless, the existing legal and administrative framework continues

¹⁸ Gokul S.P., *E-Governance Transparency in Property Market: An Evaluation of the Existing Scenario of Tamil Nadu*, 7(1) INTERNATIONAL JOURNAL OF ARCHITECTURE 1 (2021).

¹⁹ *K. Gopi v. The Sub-Registrar*, supra note 10 (Civil Appeal No 3954 of 2025, 2025 INSC 462, decided 7 April 2025).

²⁰ Theodore B.F. Ruoff, *An Englishman Looks at the Torrens System*, AUSTRALIAN LAW JOURNAL (1952).

²¹ *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 SCC 1.

to suffer from several structural and procedural deficiencies that undermine the reliability of the registration system and facilitate fraudulent transfers. Addressing these shortcomings requires a comprehensive approach combining legislative reform, technological innovation, institutional coordination, and administrative safeguards.

First, the State should enact clear statutory provisions prescribing a comprehensive and uniform list of documents required for the registration of immovable property. Although registration authorities presently insist upon certain documents in practice, there is no universally applicable statutory checklist governing all transactions. The law should expressly require the production of essential documents such as parent title deeds, chain of title records, encumbrance certificates, revenue records, approved layout or planning permissions, relevant court orders, succession documents, and tax payment records. A uniform documentary framework would promote consistency, reduce uncertainty, and strengthen preliminary verification before registration.

Secondly, the statutory powers of the registering authority should be moderately expanded to enable effective scrutiny where suspicious circumstances or indicators of fraud are apparent. While the registrar should not be vested with adjudicatory powers to determine disputed questions of title, the law should authorise the registrar to seek additional documents, require clarifications, and temporarily defer registration where there is *prima facie* evidence of impersonation, forgery, suppression of material facts, or fraudulent conduct. Such limited supervisory powers would enable the registrar to safeguard the integrity of the registration process without encroaching upon the jurisdiction of civil courts.

Thirdly, the property registration system should be digitally integrated with databases maintained by courts, revenue authorities, insolvency tribunals, and other relevant governmental agencies. Real-time interoperability would enable automatic verification of pending litigation, attachment orders, injunctions, insolvency proceedings, probate disputes, acquisition notifications, and other legal encumbrances affecting immovable property. Such integration would generate automated alerts whenever a proposed transaction is subject to statutory or judicial restrictions, thereby preventing the registration of legally defective conveyances.

Fourthly, the Government should establish a centralised digital Property Litigation and Restriction Registry containing all judicial and statutory orders affecting proprietary rights. Courts, tribunals, revenue authorities, and other competent bodies should be required to upload orders relating to attachments, injunctions, insolvency proceedings, rehabilitation land

restrictions, government acquisitions, probate disputes, and similar matters. The registration portal should automatically verify property particulars against this centralised database before completion of registration and notify the registering authority whenever any legal restriction is identified.

Fifthly, the registration process should incorporate robust digital identity authentication mechanisms for all parties to the transaction. Identity verification through government-authorised digital identification systems should be complemented by automated verification of legal disabilities, including insolvency status, disqualifications under applicable statutes, and restrictions arising from judicial orders. Multi-factor authentication and biometric verification, wherever feasible, would substantially reduce the risks of impersonation, identity fraud, and unauthorised transfers.

Sixthly, the Government should prescribe a standardised property verification checklist to be followed uniformly by all registering authorities. The checklist should encompass verification of title documents, encumbrance certificates, revenue records, land tax receipts, planning approvals, succession documents, guardianship or court permissions where applicable, declarations regarding mortgages, pending litigation, easements, adverse possession claims, and other relevant matters. Particular attention should be given to transactions involving Panchami lands, assigned lands, rehabilitation lands, wakf properties, temple properties, forest lands, and other categories of land subject to statutory restrictions or limitations on transfer.

Seventhly, greater emphasis should be placed on legal compliance and public awareness. Parties presenting documents for registration should be required to furnish statutory declarations disclosing pending litigation, mortgages, insolvency proceedings, existing agreements for sale, and other material facts affecting the property. False declarations should attract appropriate civil and criminal consequences. Simultaneously, public awareness programmes should educate citizens regarding title verification, documentary requirements, and legal obligations, thereby reducing inadvertent errors and discouraging fraudulent transactions.

Finally, the long-term success of digital registration and e-conveyancing depends upon sustained interdepartmental coordination, robust digital infrastructure, and effective cybersecurity measures. Secure data management systems, regular cybersecurity audits, encrypted document storage, and reliable backup mechanisms are essential to safeguard digital land records against unauthorised access, cyberattacks, and data manipulation. Continuous capacity building of registration officials and periodic technological upgrades will further strengthen institutional resilience. Collectively, these reforms would facilitate the development

of a modern, transparent, and trustworthy property registration system capable of protecting proprietary rights, preventing fraudulent conveyances, and promoting greater public confidence in land administration.

IX. CONCLUSION AND RECOMMENDATIONS

The insertion of Section 34-C into the Registration Act, 1908 through the Registration (Tamil Nadu Amendment) Act, 2025 represents a significant legislative development in strengthening the framework governing property registration in Tamil Nadu. By prescribing mandatory documentary requirements, including the production of original title deeds, recent encumbrance certificates, and other supporting documents, the amendment seeks to enhance transparency, promote documentary verification, and reduce the incidence of fraudulent property transactions. Unlike the earlier Rule 55-A, which was framed under subordinate legislation and subsequently declared *ultra vires*, Section 34-C derives its authority directly from the parent statute, thereby providing a stronger legal foundation for verification during registration. The amendment reinforces the importance of maintaining complete and authentic property records and encourages both transferors and transferees to exercise greater diligence. Sellers are required to establish their authority to transfer property through proper documentary evidence, while purchasers are expected to verify the chain of title, encumbrances, and other legal requirements before completing a transaction. These measures contribute to greater accountability, improve public confidence in the registration process, and strengthen the integrity of the property registration system without conferring adjudicatory powers upon the registering authority. However, statutory verification alone cannot eliminate all forms of property fraud. The effectiveness of Section 34-C will ultimately depend upon its implementation through clear administrative procedures, technological integration, and institutional coordination. The registration system should therefore be supported by comprehensive statutory guidelines prescribing mandatory documentation, a standardised verification checklist, and limited statutory powers enabling registrars to seek additional clarification or temporarily defer registration where *prima facie* evidence of fraud exists. Further, digital integration between registration offices, courts, revenue authorities, insolvency tribunals, and other public agencies should be established to facilitate real-time verification of pending litigation, attachment orders, insolvency proceedings, and other legal restrictions affecting immovable property. The development of a centralised property litigation and restriction registry, coupled with secure digital identity verification and robust cybersecurity safeguards, would further strengthen the reliability of e-conveyancing and digital registration. Equally important is the promotion of

public awareness regarding title verification, documentary compliance, and legal obligations, supported by statutory declarations and appropriate penalties for false representations.

In conclusion, Section 34-C represents a balanced legislative response to the challenges that emerged following the invalidation of Rule 55-A. While respecting the limited statutory role of the registering authority under the Registration Act, 1908, it introduces reasonable safeguards aimed at preventing fraudulent transfers and improving the authenticity of property transactions. Continued legislative refinement, administrative efficiency, and technological innovation will be essential to achieving a modern, transparent, and secure property registration system that effectively protects property rights and promotes certainty in land transactions.
