

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 10.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.14812 of 2014

R.Sumathi

... Petitioner

Vs.

1. The Inspector General of Registration,
Santhome Salai,
Chennai.
 2. The District Registrar,
District Registration Office,
Kanchipuram.
 3. The Sub Registrar,
Sriperumbudur Sub Registrar Office,
Sriperumbudur,
Kanchipuram District.
- ... Respondents

The Writ Petition has been filed, under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 2 and 3, to return the registered sale deed, bearing document No.1182 of 2013, dated 7.2.2013, registered by the third respondent

For Petitioner : Mr.V.Manisekaran

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

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ORDER

Heard.

2. This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing the respondents 2 and 3, to return the registered sale deed, bearing document No.1182 of 2013, registered on 7.2.2013, at the office of the Sub Registrar, Sriperumbudur, Kanchipuram District.

3. At this stage of the hearing of the writ petition, a counter affidavit, dated 25.7.2014, has been filed on behalf of the third respondent. Paragraph 3 of the said counter affidavit reads as follows :

"3.As regards the averments contained in the Affidavit it is submitted that the sale deed executed in favour of the petitioner evidencing conveyance of Plot No.7C measuring 787 sq. situate in Valarpuram Village, Venkatachalapathy Nagar Annex, was executed by one Thiru B.Kamrudeen was presented for registration at the office of this respondent on 7-2-2013 for registration. On the same day the process of registration was completed and the document was also scanned. Subsequently, the said document has been misplaced and it is not traceable. While expressing deep regret and apology for the hardship caused to the petitioner, it is further submitted that in as much as the said sale deed has been scanned and the images have been stored in the electronic devices kept in the office of this department, a copy of the said document can be generated now and issued to the Petitioner by recording the circumstances under which the copy has been issued, if the same is permitted by this Hon'ble Court."

4. In view of the averments made in paragraph 3 of the counter affidavit, filed on behalf of the third respondent, the third respondent is directed to release the certified copy of the registered sale deed, bearing document No.1182 of 2013, dated 7.2.2013, with necessary endorsement, stating that the original sale deed had been misplaced, at the office of the third respondent and also stating that the said document could be treated as original sale deed executed, on 7.2.2013, as document No.1182 of 2013. The third respondent shall release the said document, as directed above, within a period of two weeks from the date of receipt of a copy of this order. The writ petition stands disposed of, with the above directions. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vvk

To

1. The Inspector General of Registration,
Santhome Salai,
Chennai.
2. The District Registrar,
District Registration Office,
Kanchipuram.
3. The Sub Registrar,
Sriperumbudur Sub Registrar Office,
Sriperumbudur,
Kanchipuram District.

+1cc to Mr.V.Manisekaran, Advocate, S.R.No.45611

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MP 1(CO)
CA(11/08/2016)



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