

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.3763 of 2019

V.Sekar

...Petitioner

Vs.

The Sub-Registrar
The Sub Registrar's Office
Avaraipakkam
Tindivanam Taluk
Villupuram District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records and order of the respondent in Inspection Memo dated 28.01.2019 issued to the petitioner and quashing the same as illegal and directing the respondent to register the Gift Deed dated 28.11.2018 executed by the petitioner without insisting the petitioner to produce the original Sale Deed dated 03.11.2014 and accept the certified copy of the same, if it is otherwise in order.

For Petitioner : Mr.J.Antony Jesus

For Respondent : Mr.M.Thamizharasan
Government Advocate

O R D E R

Mr.M.Thamizharasan, learned Government Advocate takes notice for the respondent. By consent of the parties, this main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the proceeding of the respondent dated 28.01.2019, wherein and whereby, the respondent refused to register the Gift Deed executed by the petitioner in favour of the local Panchayat in pursuant to the layout proposal, on the reason that the petitioner did not file any parent documents.

3. It is contended by the learned counsel for the petitioner

that the parent documents are not available with the petitioner, however, certified copies are produced before the respondent, which he has not considered.

4. The learned Government Advocate for the respondent submitted that if the petitioner produces the certified copies of the parent documents for verification of the Sub-Registrar, the same will be considered and appropriate action will be taken for registering the Gift Deed.

5. Recording the above said submission made by the learned Government Advocate, this writ petition is disposed of, by directing the petitioner to produce the certified copies of the parent documents before the respondent also by stating in writing as to why he is not in a position to produce the original documents. On production of such certified copies of the parent documents, the respondent shall take appropriate action on the Gift Deed presented by the petitioner for registration. The whole exercise shall be done by the respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

mk

To
The Sub-Registrar
The Sub Registrar's Office
Avaraipakkam
Tindivanam Taluk
Villupuram District.

+1cc to Mr.J.Antony Jesus, Advocate, S.R.No.11728
+1cc to the Government Pleader, S.R.No. 11917
+1cc to the Government Pleader, S.R.No. 11918

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PM(CO)
GN(26/02/2019)