



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.7830 of 2020

M.Raghupathi
S/o Malaiyappa Gounder

... Petitioner

Vs

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

2. The District Registrar,
No.1/3 Vignesh Complex,
Ground Floor, PN road,
Thirupur - 641 602

3. The Sub-Registrar,
No.2, Karur - Dharmapuram Road,
Mulanur - 638 106.

... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus to call for records pertaining to the Refusal Check Slip in refusal number RFL/Mulanur/5/2020 dated 11.05.2020 and to quash the same as illegal and incompetent and consequently direct the 3rd respondent to register the sale deed dated 11.05.2020 in respect of undivided 1/3rd share in 75 cents in Survey Number 885/2 of Mulanur Village, Dharapuram Taluk and Thirupur District.

For Petitioner	:	Ms.R.Sashe
For Respondent s	:	Mr.T.M.Pappiah Special Government Pleader

O R D E R

This matter is taken up for hearing through Video-Conferencing mode.

2. Mr.T.M.Pappiah, learned Special Government Pleader takes notice for the respondents. By consent of both parties, the main writ petition is taken up for final disposal at the admission stage itself.



3. Heard both sides.

4. The petitioner is aggrieved against the refusal of check slip dated 11.05.2020 issued by the 3rd respondent refusing to register the sale deed dated 11.05.2020 in respect of undivided 1/3rd share in 75 cents in S.No.885/2 of Mulanur Village, Dharapuram Taluk, Thirupur District, only on the reason that the parent documents in original are not produced.

4. The learned counsel for the petitioner submitted that since the subject matter sale deed pertains to an undivided 1/3rd share of the total extent and view of the fact that the parent documents are with one of the co-sharer, he is not in a position to produce the original documents and that the said fact is also referred to in the sale deed itself.

5. The learned Special Government Pleader appearing for the respondents fairly submitted that if the petitioner produces the certified copy of the original parent documents with an affidavit stating the reasons for not producing the original, the 3rd respondent will consider and act accordingly.

6. Considering the above stated facts and circumstances, more particularly, the submissions made by the learned Special Government Pleader appearing for the respondents, this Court is of the view that the interest of both parties will be protected if the Writ Petition is disposed of, as follows:

(a) The petitioner shall produce the certified copy of the parent documents along with an affidavit stating the reasons for not producing the original parent documents.

(b) On receipt of such certified copy and affidavit, the 3rd respondent shall consider the registration of the sale deed, if there is no other legal impediment in doing such registration, within a period of two weeks from the date of receipt of the certified copy of the original parent documents as well as the affidavit of the petitioner.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(AD I)

//True Copy//

Sub Assistant Registrar

vsi



To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai - 600 028.

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VSN II(CO)
KKV/13/07/2020