

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.11334 of 2020

Theerthagiri
S/o.Raja

..Petitioner

- Vs -

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.
2. The Joint Sub-Registrar-II
Sub-Registrar Office,
Dharmapuri.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 2nd respondent to register the Settlement deed dated 27.07.2020 RFL/Joint Sub-Registrar-II, Dharmapuri/68/2020 dated 27.07.2020 and return the same to the petitioner.

For Petitioner : Mr.Selvam

For Respondents : Mr.T.M.Pappiah
Speial Government Pleader

सत्यमेव जयते
O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the second respondent to register the settlement deed dated 27.07.2020 submitted by the petitioner.

2. The case of the petitioner is that he is the owner of the subject property and the title documents pertaining to the property was lost during transit. The petitioner immediately gave a complaint to the police and a non traceable certificate was also issued to the petitioner. The petitioner also had given the necessary public notice in the newspaper about the loss of the original documents.

3. The petitioner wanted to settle his property in favour of his wife. When the petitioner submitted the documents, the second respondent is said to have refused to register the document on the ground that the original title documents were not submitted at the time of registration. Aggrieved by the same, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. The petitioner had taken sufficient steps to trace the original document by giving a complaint to the police and also by issuance of public notice in the newspaper. In spite of the same, the petitioner was not able to trace the original title deeds. In fact, the police have also given a lost document report to the petitioner.

6. In view of the same, the petitioner is directed to submit the settlement deed dated 27.07.2020 along with the certified copy of the title documents and also an affidavit to the effect that the original title documents have been lost. The second respondent, on receipt of the same, shall register the settlement deed, if it is otherwise in order. It goes without saying that the petitioner shall pay the necessary stamp duty and registration fee while presenting the documents for registration.

7. This writ petition is disposed of with the above directions. No costs.

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

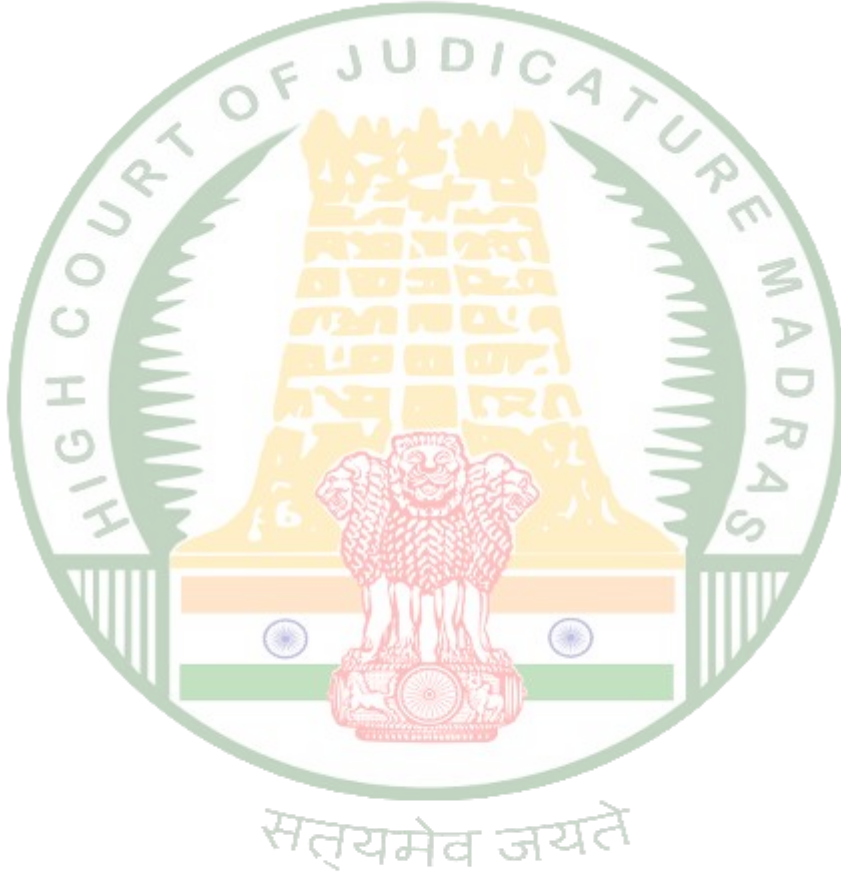
1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-4.

2. The Joint Sub-Registrar-II
Sub-Registrar Office,
Dharmapuri.

+1cc to M.Selvam, Advocate in Sr.28273
+2cc to Government Pleader in Sr.28329, 28149

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VSN-II (CO)
RV (15/09/2020)



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