

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.3399 of 2021

Lakshmi

...Petitioner

-Vs-

1. The Sub Registrar,
Registration Department,
Palladam,
Tiruppur District.

2. Kanagamani,Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned 'Refusal Check Slip' dated 31.12.2020 issued by the 1st respondent herein, quash the same and consequently direct the 1st Respondent herein to register the Settlement Deed dt.31.12.2020 executed by the Petitioner to and in favour of his brother Nachimuthu within a stipulated period.

For Petitioner : Mr.K.Govi Ganesan
For R1 : Mr.T.M.Pappiah
Special Government Pleader

ORDER

The petitioner seeks a direction to the first respondent to register a settlement deed dated 31.12.2020, which was refused by the first respondent/Sub Registrar on the ground that the petitioner has not produced the original title deed.

2.The learned counsel for the petitioner submits that the original title deed is with the second respondent, who is the sister of the petitioner and that despite issuing notice on her, she has refused to produce the same.

3.Mr.T.M.Pappiah, learned Special Government Pleader takes notice for the first respondent and made a submission on instructions that the original title deed along with an affidavit stating the inability of the petitioner to produce the original title deed may be filed before the first respondent. Whereupon, the first respondent would register the document.

4.The said statement of the learned Special Government Pleader is recorded.

5.This Court now directs the petitioner to produce the certified copy of the title deed along with an affidavit disclosing why the original title deed could not be produced within a period of two weeks from the date of receipt of a copy of this order. Whereupon, the first respondent may register the settlement deed, if it is otherwise in order, as per law and within a period of two weeks thereafter.

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

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

Tsg

To

The Sub Registrar,
Registration Department,
Palladam,
Tiruppur District.

+1cc to Mr.K.Govi Ganesan, Advocate, SR.NO.9784
+1cc to the Government Pleader, SR.No.9945

Order made in
W.P.No.3399 of 2021

NMI (CO)
KKV/10/03/2021

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