

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2021

CORAM: JUSTICE N.SESHASAYEE

WP.No.7193 of 2021

K.Chinnusamy

...Petitioner

-Vs-

The Sub-Registrar,
Office of the Sub-Registrar,
Uthukuli,
Tirupur District - 638 751.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue an order of writ of Certiorarified Mandamus calling for the entire records pertaining to the Refusal check slip in Refusal number RFL/UTHUKULI/2/2021 dated 15.02.2021 of the Respondent and quash the same consequently direct the respondent to register the sale deed dated 15.02.2021 assigned with Temporary Number TP/100130142/2021 without insisting the petitioner for original document and accept the certified copy of the same, if it is otherwise in order.

For Petitioner : Mr.R.Selvakumar

For Respondent : Mr.T.M.Pappiah
Special Government Pleader

ORDER

This Writ Petition is filed for a writ of Certiorarified Mandamus, calling for the entire records pertaining to the Refusal check slip in Refusal number RFL/UTHUKULI/2/2021 dated 15.02.2021 of the Respondent and quash the same consequently direct the respondent to register the sale deed dated 15.02.2021 assigned with Temporary Number TP/100130142/2021 without insisting the petitioner for original document and accept the certified copy of the same, if it is otherwise in order.

2.The learned counsel for the petitioner submits that the original parent title deed is mortgaged with a financial institution and that the petitioner had produced a NOC issued by the financial institution before the respondent. However, the respondent has refused to register the sale deed dated

15.02.2021, since the original document was not produced.

3.Heard, Mr.T.M.Pappiah, learned Special Government Pleader for the Registration Department. He made a statement that to avoid registering fraudulent document, this practice is adopted and the Registering Authority will now proceed to register the document, if it is otherwise registerable, if the petitioner can produce a certified copy of the parent document along with an affidavit stating as to why the petitioner could not produce the original document.

4.On the petitioner producing the certified copy of the sale deed dated 15.02.2021 along with an affidavit, the respondent is required to register the document, if it is otherwise registerable, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(I)

//True Copy//

Sub Assistant Registrar

Tsg

To

The Sub-Registrar,
Office of the Sub-Registrar,
Uthukuli,
Tirupur District - 638 751.

+1cc to Mr.R.Selvakumar, Advocate SR.17789
+1cc to the Government Pleader SR.18456, 18454

Order made in
W.P.No.7193 of 2021

PCH (CO)
CB(09/04/2021)

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