

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2021

CORAM : JUSTICE N.SESHASAYEE

W.P.No.8412 of 2021

Shanti Devi Sharma @ Shanthi Sharma

...Petitioner

Vs.

1.The Sub Registrar
Office of the Sub Registrar
No.21, GST Trunk
Jai Bheem Nagar
Guduvancherry
Chennai - 603 202.

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

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to fix a specified date and time for the petitioner to present herself at the office of the 1st respondent for registration of the settlement deed dated 23.02.2021 as per petitioner's request dated 25.02.2021.

For Petitioner : Mr.M.Mubarak Ahmad
For Respondents : Mr.T.M.Pappiah
Special Government Pleader

सत्यमेव जयते
ORDER

While appointments for registration shall have to be made through an online procedure, the petitioner requires an appointment by the Sub Registrar, to enable her to have the settlement deed dated 23.02.2021, registered.

2. The learned counsel for the petitioner submitted that the petitioner is an octogenarian with certain comorbid ailments which put her life to this situation in these pandemic days, and hence, unless the time is specified by the authorities concerned, it might nigh difficult for her to venture out. Secondly, she does not have the original of the parent title deed.

3. Mr.T.M.Pappiah, learned Special Government Pleader entered appearance for the respondents, and submitted that the registration department has outsourced managing the online portal of M/s.Tata Consultancy Services and that if any party finds it difficult, it can use the helpline provided by the portal operator. Secondly, if the petitioner has difficulty in physically appearing before the Sub Registrar, she can as well apply to the Sub Registrar to have the documents registered at her residence. So far as providing the original parent title deed is concerned, the online procedure requires the same. This method is in vogue, essentially to curb registration of any fraudulent documents. And, where a party, which includes the petitioner, is not in a position to provide one, then it is sufficient that such party produces the certified copy of the document along with an affidavit as to why the original could not be produced.

4. The petitioner is now directed to apply to the Sub Registrar / first respondent herein forthwith to have the registration of the settlement deed at the house of the petitioner. So far as the other aspects are concerned, it is only sufficient that the petitioner produces the certified copy of the parent document along with the affidavit as indicated above. The writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ds

To:

1. The Sub Registrar

Office of the Sub Registrar

No.21, GST Trunk

Jai Bheem Nagar

Guduvancherry

Chennai - 603 202.

2. The Inspector General of Registration

Office of the Inspector General of Registration

No.100, Santhome High Road

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PMK(CO)

SP(15/06/2021)