



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 27.08.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.16808 OF 2021

(THROUGH VIDEO CONFERENCE)

P.Krishnan

...Petitioner

Vs

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

2) The District Registrar,
Dharmapuri District,
Dharmapuri.

3) The Sub Registrar,
Marandahalli,
Dharmapuri District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to register the petitioner's sale deed in TP/103670125/2021 dated 22.07.2021.

For Petitioner : Mr.B.Sundarapandiyan

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the third respondent to register the petitioner's sale deed in TP/103670125/2021 dated 22.07.2021.

2. The petitioner's vendor has purchased the property from his vendor Thirunavukarau, S/o Kuttiudayar by virtue of a sale deed in document No.1694 of 2009 dated 16.10.2009, which has been registered before the Sub Registrar of Marandahalli.



The petitioner purchased the property from his vendor namely Badsha, S/o Late. Pasa! Mohammed by virtue of sale deed in document no.2433/2010, dated 12.11.2010 registered before the same Sub Registrar, Marandahalli. On 02.01.2020, when the petitioner was travelling in a bus from Royakottai to Vellisandai, his documents went missing and he filed an online complaint on 22.02.2021 in complaint ID No.CRK21080217 as 'document missing'. The petitioner had also given a paper publication on 25.02.2021 in Malai Malar Daily about the said incident. The police also have given a reply to him stating that the same has been disposed on the ground that they have searched for the missing document and they could not trace the same, Hence, the said complaint has been disposed of by directing him to approach the concerned Department and take a certified copy of the same.

3. The petitioner also submits that he has also produced the certified copy of the same before the Sub Registrar office, Marandahalli, and the said office has not considered the same and directed him to produce the original document or else, he will be not in a position to register the same. It is found that the petitioner wanted to sell the property due to his family situation but due to the loss of the said documents, he had given a police complaint as well as paper publication to show that the said document has been lost.

4. The learned Government Advocate for the respondents submitted that the document can be produced before the Authority, if not in original, by a certified copy.

5. Hence, in view of the above said submission made by both the parties concerned, this Court is of the view that the respondent/ Registrar shall consider the petitioner's online application with the certified copy of the said documents, wherein, the petitioner shall also produce the complaint disposal, status report as well as the paper publication before the Authorities to show that the said documents were misplaced (lost) and the said Registrar is directed to consider and pass appropriate orders on merits and in accordance with law within a period of twelve(12) weeks from the date of receipt of a copy of this order. Accordingly, the Writ Petition stands Disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

sts



To:

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

2) The District Registrar,
Dharmapuri District,
Dharmapuri.

3) The Sub Registrar,
Marandahalli,
Dharmapuri District.

+1cc to the Government Pleader, S.R.No.43681

W.P.No.16808 of 2021

SR-II(CO)
RLP(06/10/2021)