



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2021

CORAM:

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.18385 OF 2021

G. Subaramaniyan

... Petitioner

Versus

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-600 004.

2. The Joint Sub-Registrar,
Sub-Registrar Office,
Palacode, Charmapuri.

... 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 19.08.2021 RFL Sub-Registrar, Palacode/8/2021, dated 19.08.2021 and return the same to the petitioner.

For Petitioner : Mr.M.Selvam.

For Respondents : Mr.Yogesh Kannadasan,
Government Advocate.

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the 2nd respondent/Joint Sub Registrar to register the Settlement Deed in RFL Sub-Registrar, Palacode/8/2021, dated 19.08.2021 and return the same to the petitioner.

2. The petitioner intends to register a Settlement Deed without the production of parent document, the Joint Sub Registrar, Sub Registrar Office, Palacode, Dharmapuri District, refused to register the same and directed the petitioner to file the certificates as contemplated in the Circular No.25600/C1/2018, dated 07.06.2018, issued by the first respondent namely The Inspector General of Registration, Santhome High Road, Mylapore, Chennai - 600 004. Aggrieved by the same, the present writ petition has been filed by the petitioner.



3. The learned counsel appearing for the petitioner submitted that his vendor has lost the parent document, hence, he was not in a position to produce the same at the time of registration and as per the Circular issued by the first respondent, he has filed a police complaint and also obtained a Non Traceable Certificate and also gave paper publication. Despite the same, the second respondent namely Joint Sub Registrar refused to register the document.

4. Considering the above circumstances and the fact that the petitioner has complied with the Circular issued by the first respondent referred to above and also produced the required documents, the second respondent/Joint Sub Registrar herein is hereby directed to consider the petitioner's settlement deed and if the petitioner has complied with all the requirements as contemplated in the above said circular dated 07.06.2018, the second respondent/Joint Sub Registrar is directed to register the document within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

msm
To

1. The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai-600 004.

2. The Joint Sub-Registrar,
Sub-Registrar Office,
Palacode, Charmapuri.

+1cc to Mr.M.Selvam., Advocate, S.R.No.44546
+1cc to the Government Pleader, S.R.No.45233

W.P.No.18385 of 2021

PMK (CO)
PM/24/09/2021