



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.No.19226 of 2021

Kandhasamy

...Petitioner

Vs

The Sub Registrar,
Madukkarai Registrar Office,
Madukkarai,
Coimbatore District

...Respondent

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned refusal check slip RFL/MADUKKARAI/4/2021 dated 11.08.2021 and quash the same as illegal and consequently direct the respondent herein to register the settlement deed presented by the petitioner herein for registration without insisting for production of original title document.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.Yogesh Kannadasan,
Special Government Pleader

ORDER

This writ petition is filed for Writ of Certiorarified Mandamus calling for the records relating to the impugned refusal check slip RFL/MADUKKARAI/4/2021 dated 11.08.2021 and quash the same as illegal and consequently direct the respondent herein to register the settlement deed presented by the petitioner herein for registration without insisting for production of original title document.

2. Heard, Mr.W.Camyles Gandhi, the learned counsel for the petitioner, and Mr.Yogesh Kannadasan, Special Government Pleader appearing for the respondent.

3. The petitioner purchased the property comprised in survey Nos. 148, 144/2, 146/3C & 147 situated at Madukkarai Taluk, Pichanur Village by three registered sale deeds vide document Nos.3584 of 2006 dated 01.09.2006, 4963 of 2006 dated 15.11.2006



and 5581 of 2006 dated 12.12.2006 in the Office of the Sub Registrar, Madukarai. Thereafter, the adjacent land owners approached the petitioner to sell their respective lands and also requested the petitioner to sell his lands for good market price. Therefore, the petitioner handed over the original documents and on the strength of the original document, they created power of attorney and presented for registration. However, on the objection raised by the petitioner, it was returned without registration. Now the petitioner intended to settle the property in favour of his daughters and executed settlement deed on 11.08.2021 and presented for registration. However, the respondent refused to receive the same and issued the impugned check slip for producing original parent document. According to the petitioner, the petitioner's original document was already handed over to his neighbours and he could not be able to get back from them.

4. Considering the above, the petitioner is directed to re-present the settlement deed for registration along with certified copy of the parent deed. On receipt of the same, the respondent is directed to conduct enquiry, if any objection from others, and pass orders either to register or reject the same.

5. With the above direction, this writ petition is allowed. No order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

lok

To

The Sub Registrar,
Madukkarai Registrar Office,
Madukkarai,
Coimbatore District

+1cc to Mr.W.Camyles Gandhi, Advocate, S.R.No.66370

WP.No.19226 of 2021

PMK (CO)
RGA (15/12/2021)