



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM:

WEB COPY

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.22053 of 2021

Bakkiyam

...Petitioner

Versus

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,
Kadathur,
Dharmapuri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 3rd respondent to register the petitioner's Settlement Deed in TP/105870413/2021, dated 30.09.2021 presented by the petitioner for registration without insisting for the production of the original parent document within a time frame.

For Petitioner : Mr.B.Sundarapandiyan

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the 3rd respondent/Sub Registrar to register the Settlement Deed in TP/105870413/2021, dated 30.09.2021 presented by the petitioner for registration without insisting for the production of the original parent document and return the same to the petitioner.



2. The petitioner intends to register a Settlement Deed without the production of parent document, the Sub Registrar, Kadathur, 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, Pattinapakkam, Chennai - 600 028. 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 third respondent namely 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 third respondent/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 third respondent/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(CCC)

//True Copy//

Sub Assistant Registrar

gba/msm

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,
Kadathur,
Dharmapuri District.

+1cc to Mr.B.Sundara Pandiyan, Advocate SR.No.53676
+1cc to the Government Pleader SR.No.54741

W.P.No.22053 of 2021

PMK (CO)
GN(01/12/2021)