



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.24481 of 2021

John Ponniah

... Petitioner

-Vs-

1. The District Registrar,
Kanchipuram District,
Kanchipuram.

2. The Sub Registrar,
O/o.The Sub Registrar,
Tiruvalangadu,
Kanchipuram District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, direct the 2nd respondent to register the said sale deed vide Sl.No.633/2021 presented on 05.03.2021 forthwith without insisting for an original document (Parent document/gift document) based on petitioner representation dated 25.10.2021.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.Yogesh Kannadasan
Special Government Pleader.

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the 2nd respondent to register the sale deed vide Sl.No.633/2021 presented on 05.03.2021 forthwith without insisting for an original document (Parent document/gift document) based on petitioner's representation dated 25.10.2021.

2. Heard, Mr.C.Prabakaran, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the petitioner owned property comprised in Survey No.83/4a admeasuring to an extent of 60 cents situated at Veeraragavapuram Village, Tiruthani Taluk, Tiruvallur District. The property, originally belongs to one Ramesh, purchased by the petitioner by a registered sale deed dated 05.03.2021 vide document No.12 of 2021 on the file of the second respondent herein. The said sale deed was presented for registration and also



enclosed patta, encumbrance certificate, sketch, 'A' Register and all other necessary documents. However, it was kept pending on the file of the second respondent. The second respondent by a communication dated 18.08.2021 rejected to register the said document stating that the original document was not produced. The petitioner had sent a detailed reply stating that the parent document is lying in the Court and hence the certified copy of the said document received from the Court has been produced before the second respondent. On receipt of the same, the second respondent issued a letter dated 20.09.2021 stated the same reason. Admittedly, the suit in O.S.No.21 of 2021 is pending on the file of the District Munsif Court, Tiruthani. The petitioner obtained a copy of the parent deed from the District Munsif Court, Tiruthani and produced the same before the second respondent.

4. Considering the above, the second respondent is directed to register and release the sale deed, which was presented for registration on 05.03.2021, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Lpp
To

1. The District Registrar,
Kanchipuram District,
Kanchipuram.

2. The Sub Registrar,
O/o.The Sub Registrar,
Tiruvalangadu,
Kanchipuram District.

3.The District Munsif, Tiruthani.

+1 cc to Mr.C.Prabakaran, Advocate Sr.NO. 59390

+1 cc to Government Pleader Sr.NO. 59795

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SSI(CO)

A.SK(28.12.2021)