



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26153 of 2021

and

W.M.P.No.27606 of 2021

Ram Nagar North Extension
Welfare Association,
Rep.by its President Shafi Mohammed,
Plot No.5102, 7th Street,
Ram Nagar (North Extn)
Puzhuthivakkam,
Madipakkam Post,
Chennai - 600 091.

...Petitioner

Vs

The Sub Registrar,
The Sub Registrar Office,
Velachery,
Chennai.

...Respondent

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in relates to refusal number RFL/Velachery/42/2021 dated 20.11.2021 and quash the same in the light of judgment in K.S.Vijayandran vs. IG of Registration 2011 (2) LW 648 and direct the respondent to register the deed of lease.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This writ petition is filed to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent relating to refusal number RFL/Velachery/42/2021 dated 20.11.2021 and quash the same in the light of judgment reported in 2011 (2) LW 648 (K.S.Vijayandran vs. Inspector General of Registration) and direct the respondent to register the deed of lease.



2. The petitioner purchased the property comprised in Old S.No.80, New S.No.79/12 ad-measuring an extent of 3200 sq.ft, situated at Plot No.5102, 7th Street, Ram Nagar North Extension, Puzhuthivakkam, Chennai - 600 091, by the registered sale deed dated 30.03.1983, vide Document No.1111 of 1983. The petitioner intended to enter into a deed of lease with Public Social Welfare Trust for putting up an office for the purpose of social service on 15.11.2021 to the petitioner and the lessee paid necessary charges and presented it for registration on 20.11.2021. However, the said document was returned by the respondent for the reason that the petitioner failed to produce the original parent document. According to the petitioner, due to floods in the year 2015, the original documents got destroyed and as such, the petitioner could not produce the same, at the time of presentation of the document for registration.

3. Considering the above facts and circumstances of the case, the impugned refusal check slip dated 20.11.2021 is quashed. The petitioner is directed to re-present the lease deed for registration along with certified copies of the parent deed dated 30.03.1983, registered vide Document No.1111 of 1983 for registration. On receipt of the same, the respondent is directed to register and release the same forthwith.

4. In the result, this Writ Petition is allowed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kv

To

The Sub Registrar,
The Sub Registrar Office,
Velachery, Chennai.

+1cc to M/s.J.Franklin, Advocate, S.R.No.65450

+1cc to the Government Pleader, S.R.No.66111

W.P.No.26153 of 2021

VSN-II (CO)
RGA(30/12/2021)