



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26963 of 2021

M.Ramamoorthi

... Petitioner

-Vs-

1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 4.

2.The Joint Sub Registrar-II,
Sub-Registrar Office,
Dharmapuri.

3.The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the second respondent to register the settlement deed, dated 25.10.2021 RFL/2 Joint Sub-Registrar Dharmapuri/70/2021, dated 25.10.2021 and return the same to the petitioner.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the second respondent to register the settlement deed, dated 25.10.2021 RFL/2 Joint Sub-Registrar Dharmapuri/70/2021, dated 25.10.2021 and return the same to the petitioner.

2. Heard Mr.M.Selvam, learned counsel appearing for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader appearing for the respondents.



3. The petitioner purchased the property comprised in Survey No.478 in Patta No.857 to an extent of 2.67.½ hectares in Mottupatti Village, Pulidikarai, Dharmapuri Taluk, Dharmapuri, registered vide Document No.2727 of 1998. However, the petitioner lost the original sale deed and he lodged a complaint before the third respondent. The third respondent issued a report dated 12.10.2021 in C.R.R.21154090. The petitioner also given a public notice on 18.10.2021 in the local daily about the lost of original document. Thereafter, the petitioner intended to settle the property in favour of his wife and executed a settlement deed, dated 25.10.2021 and presented for registration before the second respondent.

4. However, it was rejected by the impugned check slip, dated 25.10.2021 for the reason that the petitioner had failed to produce the original parent document. Admittedly, the petitioner lost the original parent document and lodged a complaint, and it is pending for investigation.

5. Considering the above, the petitioner is directed to re-present the settlement deed for registration before the second respondent along with certified copies of all the original parent documents and the Non Traceable certificate for the lost of his parent documents.

6. The third respondent is directed to issue Non Traceable certificate to the petitioner within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the second respondent is directed to register the settlement deed and release the same if it is otherwise in order.

7. With the above directions, this writ petition stands allowed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai - 4.

2.The Joint Sub Registrar-II,
Sub-Registrar Office,
Dharmapuri.



3.The Inspector of Police,
Krishnapuram Police Station,
Dharmapuri.

+1cc to Mr.M.Selvam, Advocate SR. No.68548

+1cc to Government Pleader SR. No. 69034

W.P.No.26963 of 2021

RSV (CO)

PR (04/01/2022)