



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.26729 of 2021

Govindammal

... 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,
B-1 Dharmapuri Town Police Station,
Dharmapuri.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to register the Settlement Deed dated 29.10.2021 RFL/1 Joint Sub-Registrar Dharmapuri/108/2021 dated 29.10.2021 and return the same to the petitioner.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the 2nd respondent to register the Settlement Deed dated 29.10.2021 RFL/1 Joint Sub-Registrar Dharmapuri/108/2021 dated 29.10.2021 and return the same to the petitioner.



2. The case of the petitioner is that the petitioner owned property comprised in S.No.29/9, Ward No.B, Block No.13, T.S.No.137/1 to an extent of 600 sq.ft., situated at Kottai Village, Dharmapuri Taluk and District. It was purchased by her in the year 2006 by the registered sale deed vide Document No.1777/2006 on the file of the 2nd respondent herein. However, she lost the original sale deed and she lodged complaint before the 3rd respondent and it is pending for investigation. Thereafter, the petitioner decided to settle the subject property in favour of her daughter and executed a Settlement Deed dated 29.10.2021 and the same was presented before the 2nd respondent for registration. However, the 2nd respondent refused to register the same for the reason that the petitioner has not produced the original parent document and 'Non Traceable Certificate'.

3. Considering the above, the petitioner is directed to represent the settlement deed for registration with certified copy of the parent deed along with 'Non Traceable Certificate' for the lost of sale deed before the 2nd respondent. On receipt of the same, the 2nd respondent is directed to consider and register the same, otherwise in order. The 3rd respondent is directed to conduct enquiry and issue 'Non Traceable Certificate' to the petitioner on the complaint lodged by the petitioner, within a period of one week from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

dm

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,
B-1 Dharmapuri Town Police Station,
Dharmapuri.

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+1cc to M/s.M.Selvam, Advocate, S.R.No.67558

+1cc to the Government Pleader, S.R.No.68301

W.P.No.26729 of 2021

BP (CO)
SU (05/01/2022)