



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.12.2021

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.26766, 26768 and 26771 of 2021

M.Sakthivel ... Petitioner in W.P.No.26766/2021

P.Ramakrishnan ... Petitioner in W.P.No.26768/2021

M.Rangasamy ... Petitioner in W.P.No.26771/2021

vs.

1.The District Registrar,
Salem District,
At Salem.

2.The Sub Registrar,
Mecheri,
Salem District. ... Respondents in all WPs.

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to register the Partition Deeds in TP/105797735/2021, TP/105805736/2021 and TP/105787591/2021, dated 29.09.2021 respectively and Pathway Agreement Deed in TP/105804423/2021 dated 29.09.2021 presented by the petitioners for registration without insisting for the production of the original parent document within a stipulated period of time.

For Petitioner : Mr.B.Sundarapandiyan
(in all WPs)

For Respondents: Mr. Yogesh Kannadasan
Special Government Pleader
(in all WPs)

COMMON ORDER

These writ petitions have been filed to issue a Writ of Mandamus, directing the 2nd respondent to register the Partition Deeds in TP/105797735/2021, TP/105805736/2021 and TP/105787591/2021, dated 29.09.2021 respectively and Pathway Agreement Deed in TP/105804423/2021 dated 29.09.2021 presented



by the petitioners for registration without insisting for the production of the original parent document within a stipulated period of time.

2. The case of the petitioners is that all the petitioners are grandsons of one Seerangagounder. The property comprised in S.No.159/2 ad-measuring to an extent of 0.20 ares and the property comprised in S.No.159/3 ad-measuring to an extent of 0.56.50 ares situated at Kongupatti South Village, Kadaiyampatti Taluk, Salem District, owned by the petitioners grandfather. He purchased the said properties by virtue of sale deed dated 02.02.1960 registered vide Document No.179/1960 on the file of the 2nd respondent herein. He was also issued patta. After his demise, his legal heirs entered into partition deeds in respect of the subject properties. All the petitioners presented their partition deeds before the 2nd respondent for registration. However, they could not able to produce original parent sale deed dated 02.02.1960 registered vide Document No.179/1960, for the reason that it was lost by them.

3. Therefore, the petitioners lodged complaint before the Inspector of Police, Deevattipatti Police Station, Salem District on 23.10.2021 through online. However, the Inspector of Police, Deevattipatti Police Station, Salem District, did not provide any 'Non Traceable Certificate'. However, the 2nd respondent refused to register the same for the reason that non production of original parent sale deed for verification.

4. Admittedly, the petitioners lost their original parent sale deed and they lodged complaint on 23.10.2021 and it is pending for investigation on the file of the Inspector of Police, Deevattipatti Police Station, Salem District.

5. Considering the above, the petitioners are directed to represent the partition deeds along with certified copy of the parent sale deed dated 02.02.1960 registered vide Document No.179/1960 and 'Non Traceable Certificate' from the Inspector of Police, Deevattipatti Police Station, Salem District. The Inspector of Police, Deevattipatti Police Station, Salem District is directed to issue 'Non Traceable Certificate' to the petitioners with regards to Ref.No.CTR21160755, within a period of one week from the date of receipt of a copy of this order.

6. With the above directions, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar



dm
To

1.The District Registrar,
Salem District,
At Salem.

2.The Sub Registrar,
Mecheri,
Salem District.

Copy to

The Inspector of Police,
Deevattipatti Police Station,
Salem District.

+3 ccs to Mr.B.Sundarapandiyan, Advocate Sr.NO. 67218

+1 cc to Government Pleader Sr.NO. 68303

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VGII(CO)

A.SK(04.01.2022)

16.12.2021