



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.12135 of 2021

and W.M.P. (MD).Nos.9552 & 9555 of 2021

WEB COPY

V.Sakthivel

...Petitioner

Vs.

1.The District Registrar,
Registration Department,
Virudhunagar,
Virudhunagar District.

2.The Sub-Registrar,
Kariyapatti Sub-Registrar Office,
Kariyapatti Taluk,
Virudhunagar District.

3.A.Naguthevan

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in RFL/Kariyapatti/4/2021, dated 12.07.2021, on the file of the respondent No.2 and quash the same as illegal and consequently direct the respondent No.2 to register the documents presented by the petitioner for registration without insisting for the production of original parent document within the time frame fixed by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For R1 & R2 : Mr.M.Lingadurai
Government Advocate

ORDER

This writ petition has been filed aggrieved by the impugned order in RFL/Kariyapatti/4/2021, dated 12.07.2021, refusing to register the documents presented by the petitioner on the ground that the petitioner has not produced the original title deeds.

2.Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents 1 and 2.

3.The issue involved in the present writ petition is squarely covered by the judgment of this Court in **Sivanadiyan Vs. Sub Registrar, Pudukottai, Pudukottai District**, reported in **2021 (2) CTC 526**. This Court has made it very clear that the registering authority is not empowered to insist for the production of the



original documents.

4. In view of the above, the impugned order passed by the second respondent is quashed and there shall be a direction to the second respondent to register the document, if it is otherwise in order and the necessary stamp duty and registration fees has been paid. The documents shall be released after registration.

5. This writ petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitioners are closed.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Registrar,
Registration Department,
Virudhunagar,
Virudhunagar District.

2. The Sub-Registrar,
Kariyapatti Sub-Registrar Office,
Kariyapatti Taluk, Virudhunagar District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-23278[F] dated 20/07/2021)

+1 CC to M/s.GP (SR-23319[F] dated 20/07/2021)

**W.P. (MD) .No.12135 of 2021
19.07.2021**

RD(27.07.2021) 2P 5C