



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.9519 of 2019
(Through Video Conference)

A.Prakash

...Petitioner

Vs.

1) Inspector General of Registration,
Office of Inspector General of Registration,
4/4. 4th Trust Link Street,
Mullima Nagar, Mandavelipakkam,
Raja Annamalaipuram,
Chennai 600 004

2) Sub Registrar,
Sub Registrar Office,
Theppakulam, Madurai,
Madurai District.

3) H.Shahin Sha

4) H.Sabibulla Bava

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the Refusal Check Slip dated 11.04.2019 I Refusal Number:RFL/Theppakullam/22/2019 of the 2nd respondent and quash the same and direct the 2nd respondent to register the Sale Deed dated 11.04.2019 executed in the name of the petitioner.

For Petitioner : Mr.B.Rajesh Saravanan

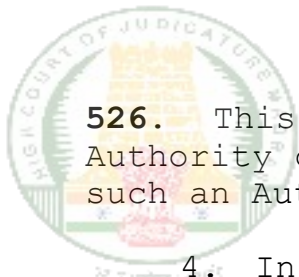
For RR 1 & 2 : Mr.M.Lingadurai,
Government Advocate

O R D E R

This Writ Petition has been filed challenging the Refusal Check Slip issued by the second respondent on the ground that the original title documents were not furnished at the time when the document was presented for registration.

2. Heard Mr.B.Rajesh Saravanan, learned counsel for the petitioner and Mr.M.Lingadurai, learned Government Advocate for the respondents 1 and 2.

3. The issue that is involved in the present Writ Petition is squarely covered by the judgment of this Court in **Sivanadiyan v. Sub Registrar, Pudukottai, Pudukottai District**, reported in 2021 (2) CTC



526. This Court has categorically held that the registering Authority cannot insist for production of the original documents and such an Authority has not been provided under the Registration Act.

4. In view of the above, the impugned refusal Check Slip issued by the second respondent requires the interference of this Court and accordingly, the same is hereby quashed.

5. The second respondent is directed to entertain the documents presented for registration by the petitioner and register the same, if it is otherwise in order and the necessary stamp duty and registration charges are paid.

6. This Writ Petition is allowed with the above directions. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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) Inspector General of Registration,
Office of Inspector General of Registration,
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- 2) Sub Registrar,
Sub Registrar Office,
Theppakulam, Madurai,
Madurai District.

+1 CC to M/s.SPL GP (SR-21717[F] dated 08/07/2021)

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