



W.P.No.3325 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3325 of 2022

Nachimuthu

... Petitioner

Vs.

1. The District Registrar,
Registration Department,
Tiruppur.
2. The Joint Sub-Registrar,
No.1, Registration Department,
Tiruppur.
3. Rajendran

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned "Refusal Check Slip" dated 24.12.2021 issued by the 2nd respondent herein, quash the same and consequently direct the 2nd respondent herein to register the sale deed dated 24.12.2021 executed by the petitioner herein to and in favour of one Senthil Sivakumar, S/o.Venkatachalam within a stipulated period.

For Petitioner	: Mr.K.Govi Ganesan
For Respondents 1 & 2	: Mr.Yogesh Kannadasan, Special Government Pleader



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ORDER

The petitioner has filed this writ petition seeking for quashment of the impugned refusal check slip dated 24.12.2021 and consequently direct the 2nd respondent to register the sale deed executed by the petitioner.

2. The case of the petitioner is that he purchased a property jointly along with his wife in S.F.No.760 old T.S.No.500/14/1 by way of a registered sale deed. After demise of his wife, the petitioner became the absolute owner of the said property. While so, the petitioner intended to sell the property to one Mr.Senthil Sivakumar for which, he approached the 2nd respondent and presented the sale deed along with relevant documents for registration of the sale deed. Upon receiving the documents, the 2nd respondent refused to register the same and returned the document through a refusal check slip dated 24.12.2021. Aggrieved by the refusal, this Writ Petition has been filed.

3. The learned counsel for the petitioner submitted that the brother-in-law of the petitioner took away all his property related original documents from his house and refused to return it back and also created fraudulent



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documents in respect of other properties belonging to the petitioner and the petitioner was unable to produce the original parent documents before the 2nd respondent. However, the petitioner is now ready to produce the copy of the parent document. Therefore, this Court may issue direction to the 2nd respondent to entertain the document furnished by the petitioner without insisting the original document of the disputed property.

4. The learned Special Government Pleader appearing for the respondents submitted that if the petitioner submits the copy of the parent document, the same will be considered and appropriate orders will be passed on the same in accordance with law.

5. In view of the limited relief sought for by the petitioner, this Court directs the petitioner to produce the copy of the parent document before the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order. On such production, the 2nd respondent, without insisting the original parent document shall accept the copy of the parent document and entertain the sale deed and pass appropriate orders in accordance with law.

M.DHANDAPANI,J.



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6. This writ petition is accordingly **disposed of**. No costs.

21.02.2022

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1. The District Registrar,
Registration Department,
Tiruppur.
2. The Joint Sub-Registrar,
No.1, Registration Department,
Tiruppur.

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