



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14944 of 2022

K.Saravanan

...Petitioner

Vs.

1. The District Registrar,
The District Registrar Office,
Salem District.

2. The No.1 Joint Sub-Registrar,
District Registrar Office,
Salem (East),
Salem District.

...Respondents

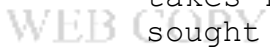
Prayer:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for records pertaining to the Refusal Check Slip in refusal number 8941/2021P/1 Joint Sub Registrar Salem/7/2021 dated 29.11.2021 and to quash the same as illegal, incompetent and ultravires and consequently direct the 2nd respondent to register the sale deed dated 29.11.2021 and consequently direct the respondent to register the documents presented by the petitioner for registration without insisting for the production of original parent document in light of the order made by this Court in K.S.Vijayandran Vs IG of Registration 2011 (2) LW 648 within the time that may be stipulated by this Court.

For petitioner : Mr.A.Thiyagarajan

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this petition seeking for issuance of a Writ of Certiorarified Mandamus calling for records pertaining to the Refusal Check Slip in refusal number 8941/2021P/1 Joint Sub Registrar Salem/7/2021 dated 29.11.2021 and to quash the same as illegal, incompetent and consequently direct the 2nd respondent to register the documents presented by the petitioner for registration without insisting for the production of original parent document in light of the order





WEB COPY

26.11.2020 has not appreciated the provisions of the Act, as the reasons of the learned Single Judge are contrary to the well considered earlier Judgments of this Court. The learned Judge has reasoned without any specific reference to the scheme of the Act, which governs the registration."

5.The learned Special Government Pleader appearing for the respondents submits that the documents presented by the petitioner was rejected by the second respondent on the ground that Original parent document was not annexed along with the documents.

6.In view of the decision of this Court in W.P.(MD)No.19745 of 2020, order dated 11.02.2021, makes it clear that, there is no need to present the Original parent document, certified copy of the parent document is sufficient to entertain the document for registration.

7.Accordingly, this writ petition is allowed, the impugned order dated 29.11.2021 is set aside and the second respondent is directed to entertain the documents presented by the petitioner and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order, and the petitioner is directed to pay requisite Stamp Duty and Registration Charges. No costs.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

RAP

To

1. The District Registrar,
The District Registrar Office,
Salem District.

2. The No.1 Joint Sub-Registrar,
District Registrar Office,
Salem (East),Salem District.

+2cc to Mr.A.Thiyagarajan, Advocate, S.R.No.36366

+1cc to the Government Pleader,High Court, Madras S.R.No.36960

W.P.No.14944 of 2022

BR(CO)

RGA(30/06/2022)