



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7600 of 2022

R.Karthikeyaraaja

... Petitioner

vs.

1.The Inspector General of Registration,
Tamil Nadu Registration Department,
No.100, Santhome High Road,
Chennai - 600 028.

2.The Sub Registrar,
Aathur Sub Registrar Office,
Aathur, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal check slip in Refusal No. RFL/ Kannivadi/24/2022 dated 08.04.2022 issued by the second respondent and quash the same as illegal and consequently to direct the second respondent to register the sale deed dated 08.04.2022 presented by the petitioner namely vendee for registration without insisting for the production of original parental document in the light of the order made by this in the case of Vijayandran Vs I.G of Registration reported in 2011 (2) LW 648.

For Petitioner :Mr.S.Muthukumar

For Respondents :Mr.S.Shanmugavel
Additional Government Pleader

O R D E R

This Writ Petition has been filed challenging the impugned refusal check slip issued by the second respondent, dated 08.04.2022 refusing to register the sale deed presented by the petitioner for registration on the ground that the petitioner has not produced the original parent document.

2.The issue is now well settled by various decisions of this Court. It has been held in all those decisions that production of original title deeds is not mandatory and the registering authority is not empowered to insist for production of original documents (parent documents) in the absence of specific provision under the Registration Act. The circular issued by the Inspector General of Registration, Chennai, cannot have legal sanctity unless the power of issuance of such circular is authorised under the provisions of the Act.



refusal check slip has been issued by the second respondent refusing to register the sale deed presented by the petitioner for registration on the ground that original parent documents have not been produced by the petitioner. Since there is no necessity to produce the original parent documents and it would suffice that certified copies of parent documents are produced, the impugned refusal check slip has to be necessarily quashed and the Writ Petition has to be allowed.

4. Accordingly, the impugned refusal check slip issued by the second respondent, dated 08.04.2022 is hereby quashed and the second respondent is directed to register the sale deed presented by the petitioner for registration, if the same is otherwise in order and the petitioner has paid the necessary stamp duty and registration charges and also produced the certified copies of the parent documents and the second respondent shall not insist for producing the original parent documents, within a period of four weeks from the date of receipt of a copy of this order.

5. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

cmr

To

1. The Inspector General of Registration,
Tamil Nadu Registration Department,
No.100, Santhome High Road,
Chennai - 600 028.

2. The Sub Registrar,
Aathur Sub Registrar Office,
Aathur, Dindigul District.

+1 CC to M/s.S. MUTHUKUMAR, Advocate (SR-20376[F] dated 22/04/2022)

+1 CC to M/s.SPL.GP. (SR-20520[F] dated 22/04/2022)

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21.04.2022

RD(12.05.2022) 2P 5C

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