



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.8571 of 2022

and

W.M.P. (MD) .No.6310 of 2022

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S.Dharani

... Petitioner

Vs.

1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai, Tamil Nadu - 600028.

2.The Sub Registrar,
Office of Sub Registrar,
Y.Othakadai,
Madurai - 625 107.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent pertaining to its Refusal Check slip in RFL/Othakadai/3/2022 dated 21.04.2022 and quash the same as illegal and consequently direct the second respondent to register the documents presented by the petitioner for registration without insisting for the production of original parent document in light of the production of order made by this Court in K.S.Vijayandran Vs IG of Registration 2011 (2) LW 648 and in Sivanandiyan Vs The Sub Registrar, Pudukottai in W.P.(MD). No.19745 of 2020 within the time that may be stipulated by this Court.

For Petitioner	:	Mr.K.Krishna
For Respondents	:	Mr.S.Shanmugavel, Additional Government Pleader.

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip dated 21.04.2022 issued by the second respondent refusing to register the sale deed presented by the petitioner for registration on the ground that the petitioner has not produced the original parent documents.

2. It is now well settled by various decisions of this Court that there is no necessity for a person presenting any sale deed for registration to produce the original parent documents. It would suffice if certified copies of the same are produced.



3. In the case on hand, the petitioner has produced the certified copy of the parent document. But, under the impugned order, only on the ground that the petitioner has not produced the original parent document, the sale deed presented by the petitioner has been refused to be registered.

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4. Since the issue is well settled, as stated supra, the impugned order has to be necessarily quashed, as the second respondent, by non-application of mind to the settled law, has refused to register the sale deed presented by the petitioner for registration.

5. For the foregoing reasons, this Writ Petition is allowed and the impugned order is quashed. The second respondent is directed to register the sale deed presented by the petitioner for registration within a period of two (2) weeks from the date of receipt of a copy of this order, provided the said sale deed is otherwise in order and the petitioner has paid the requisite stamp duty and registration charges and has also produced the certified copies of the parent documents. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The Inspector General of Registration,
100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raja Annamalai Puram,
Chennai, Tamil Nadu - 600028.

2.The Sub Registrar,
Office of Sub Registrar,
Y.Othakadai, Madurai - 625 107.

+1 CC to M/s.K. KRISHNA, Advocate (SR-22410[F] dated 29/04/2022)
+1 CC to M/s.SPL. GP (SR-23052[F] dated 29/04/2022)

W.P. (MD) .No.8571 of 2022
28.04.2022

TP(CO)

GC(18.05.2022) 2P 5C

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