



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8702 of 2022

E.Chinnathai

... Petitioner

/Vs./

1.The Sub-Registrar,
Sattur Sub-Registrar Office,
Virudhunagar District.

2.M.Silor Mani

... 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 RFL/Sattur/3/2022 dated 26.04.2022 and quash the same as illegal and consequently, direction directing the respondent No.1 to register the sale deed dated 26.04.2022 executed by the petitioner in favour of the 2nd respondent without insisting the original document within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash
For R1 : Mr.S.Shanmugavel,
Additional Government Pleader.

ORDER

This writ petition has been filed challenging the refusal check slip dated 26.04.2022 issued by the first 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 document.

2.Heard Mr.I.Pinaygash, learned Counsel for the writ petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the 1st respondent.

3.As seen from the affidavit filed in support of this writ petition, the petitioner has produced certified copies of the parent documents. However, under the impugned order, the first respondent has refused to register the sale deed presented by the petitioner for registration only on the ground that the petitioner has not produced the original parent document.

4.The issue is now well settled by various decisions of this Court that there is no necessity to produce the originals of the parent document and it would suffice if certified copies of the same are produced. Any circular issued by the Inspector General of



Registration necessitating for production of the original document does not have legal sanctity.

5. In view of the settled law, the impugned refusal check slip dated 26.04.2022 has to be necessarily quashed and the writ petition will have to be allowed. Hence, the impugned refusal check slip dated 26.04.2022 is hereby quashed and the writ petition is allowed.

6. Accordingly, this Court directs the first respondent 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 petitioner has paid requisite stamp duty and other registration charges, if the sale deed is otherwise in order. It is made clear that the petitioner will have to produce certified copies of the parent documents and only thereafter, the first respondent shall register the sale deed presented by the petitioner for registration. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

The Sub-Registrar,
Sattur Sub-Registrar Office,
Virudhunagar District.

+1 CC to M/s.I.PINAYGASH, Advocate (SR-22637[F] dated 29/04/2022)

+1 CC to M/s.SPL.GP (SR-23323[F] dated 04/05/2022)

order made in
W.P.[MD]No.8702 of 2022
29.04.2022

RS (25.05.2022) 2P-4C