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W.P.No.19143 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.19143 of 2023

Duraisamy

... Petitioner

Vs

1.The Inspector General of Registration,
Santhome High Road,
Mylapore, Chennai – 4.

2.The Sub Registrar,
Office of the Sub Registrar,
Paramathi,
Namakkal District.

3.The Branch Manager,
Indian Bank, Nallur Branch,
Paramathi Velur Taluk,
Namakkal District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the impugned Refusal Check Slip issued by the 2nd respondent in his proceedings in Refusal Number : RFL/Paramathi/54/2023 dated 09.05.2023 and quash the same and consequently permit the petitioner to register the receipt dated 09.05.2023 executed by the 3rd respondent pertaining to the properties situate Survey Nos.529/1 (69 Cents) 529/3 (1 Acre 5 Cents), 529/5 (11 Cents), 529/6 (86 ½ Cents), 529/8 (92 Cents), 531 (5 Acre 11 Cents), 532/1 (2 Acre 53 Cents), Kolaram Village, Paramathi Velur Taluk, Namakkal District.



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For Petitioner : Mr.J.Jayan

For Respondents : Mr.D.Ravichander
Special Government Pleader for R1 and R2

ORDER

The writ petition has been filed questioning the validity of the refusal check slip issued by the Sub Registrar on the ground that the petitioner has failed to produce the original title documents at the time of presenting the receipt for registration.

2. The learned counsel for the petitioner states that the original documents are not available with him and the petitioner is ready to furnish the certified copy of the document. In the event of non-availability of the original documents, the Sub Registrar is empowered to verify the certified copy of the documents and accordingly proceed with the registration by following the procedures as contemplated.

3. Since the petitioner states that he will produce the certified copy of the documents, the registering authority shall verify the genuineness of the certified copy of the documents to be produced by the petitioner and thereafter proceed for registration in accordance with the provisions of the



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Act. Accordingly, the impugned refusal check slip is quashed and the Writ

Petition stands allowed. However, there shall be no order as to costs.

28.06.2023

Index : Yes/ No

Speaking order : Yes /No

Sgl

To

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S.M.SUBRAMANIAM, J.

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