



WEB COPY

W.P.No.21170 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21170 of 2023

and

W.M.P.No.20577 of 2023

Mr.A.Kabilan

... Petitioner

Vs.

The Sub Registrar,
O/o. The Sub Registrar,
Guduvancherry,
Chengalpet District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the Return Memo dated 12.01.2023 thereby returning the Settlement Deed dated 20.09.2022 under Doc.No.P289/2022 presented on 20.09.2022 for registration of lands with regard to 96.5 cents of land of Nallambakkam Village, Vandalur Taluk, Chengalpet district and quash the same and consequently direct the respondent to register the Settlement Deed dated 20.09.2022 presented by the Petitioner.



For Petitioner : Mr.N.Poovanalingam

For Respondent : Mr.P.Sanjay Gandhi
Government Advocate

ORDER

The notice issued by the Sub Registrar asking the petitioner to submit the original title document and to release the registered document is under challenge in the present writ petition.

2. The petitioner states that he is the absolute owner of the land measuring 7 acres in Nallambakkam Village. The petitioner presented a settlement deed for registration. The Registering Authority kept the documents pending and informed the petitioner to produce the original title document.

3. The learned counsel for the petitioner states that the original documents are not available with the petitioner and it was deposited in the State Bank of India. However, the petitioner is in possession of the certified copy of the title document and he is ready and willing to produce the same. The petitioner has presented the settlement deed in favour of his son and as



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far as the original title deeds are concerned, it was deposited in the Bank in the process of loan transaction. Thus, the Registering Authority shall verify the certified copy of the document and accordingly, proceed with the registration in the manner contemplated.

4. Thus, the petitioner is at liberty to submit the certified copy of the title deeds and on receipt of the same, the respondent shall verify and register the settlement deed presented by the writ petitioner, if the document is otherwise in accordance with the procedures contemplated. The said exercise is directed to be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

19.07.2023

Jeni
Index : Yes
Neutral Citation : Yes
Speaking order



To

The Sub Registrar,
O/o. The Sub Registrar,
Guduvancherry,
Chengalpet District.



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S.M.SUBRAMANIAM, J.

Jeni

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