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WP No.20071 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-07-2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.20071 of 2023

P.Vasundhara Devi @ Kanchana

... Petitioner

Vs.

1.The Inspector General of Registration,
No.100, Santhome High Road,
Mullima Nazgar,
Mandavelipakkam,
Raja Annamalai Puram,
Chennai-28.

2.The Sub Registrar,
Thiyagaraja Nagar Sub Registrar Office,
T.Nagar,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certioarified Mandamus, calling for the records relating to the impugned order made in Refusal Check Slip dated 28.04.2023 in RFL/Thiyagaraya Nagar/20/2023 issued by the second respondent and quash the same and consequently direct the second



respondent to register the Sale Deed dated 28.04.2023 by verifying the certified copy of the parent document bearing No.2169/1968 and encumbrance certificate without insisting for original parent deed.

For Petitioner : Mr.R.Singaravelan,
Senior Counsel for
Mr.T.N.Rangeshkanna.

For Respondents : Mr.E.Sundaram,
Government Advocate.

ORDER

The impugned Refusal Check Slip dated 28.04.2023 issued by the second respondent-Sub Registrar, is under challenge in the present writ petition.

2. The petitioner presented the Sale Deed for registration. The Registering Authority refused to register the same on the ground that the petitioner has not produced the original document.

3. The learned Senior Counsel appearing on behalf of the writ petitioner mainly contended that the petitioner has already produced



certified copy of the title document, which would be sufficient to proceed with the registration.

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4. There is no impediment for the Registering Authority to accept the certified copy of the document for registration. In the event of non-availability of the original title document or otherwise, the genuinity of the certified copy may be verified by the Authorities and accordingly, he has to proceed with the registration.

5. In the present case, the petitioner states that he has already produced the certified copy of the original document.

6. That being the factum, the order impugned passed by the second respondent in Refusal Check Slip in proceedings RFL/Thiyagaraya Nagar/20/2023 dated 28.04.2023 is quashed and the second respondent is directed to proceed with the registration by following the procedures as contemplated under the provisions of the Registration Act, 1908, if the document presented by the petitioner is otherwise in accordance with the provisions of the Act, 1908.



7. With the above directions, the writ petition stands allowed.

However, there shall be no order as to costs.

07-07-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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To



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S.M.SUBRAMANIAM, J.

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