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W.P.No.20315 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20315 of 2023

N.V.Ganesan

... Petitioner

Vs.

1.The District Registrar,
District Registrar Office,
Dharmapuri,
Dharmapuri District.

2.The Sub-Registrar,
Sub-Registrar Office Marandahalli,
Marandahalli,
Dharmapuri District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent herein pertaining to his proceedings in RFL/Marandahalli/14/2023 dated 28.03.2023 and quash the same and further direct the 2nd respondent herein to register the settlement deed and return the same to the petitioner.



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For Petitioner : Mr.M.Selvam
For Respondents : Mr.C.Jayaprakash,
Government Advocate

ORDER

The Refusal Check Slip dated 28.03.2023 is under challenge in the present writ petition.

2. The petitioner presented a Sale Deed for registration. The 2nd respondent / Sub-Registrar returned the document along with the impugned Refusal Check Slip on the ground that the petitioner has not furnished the original document relating to the title.

3. The learned counsel for the petitioner states that the original documents are not available with the petitioner and it was lost, subsequently a complaint was also registered. However, the petitioner is ready and willing to furnish the certified copy of the title document for verification.

4. When the petitioner states that he is ready and willing to furnish the certified copy of the title document, there is no impediment for the registering authority to verify the same and proceed with the registration. In



such circumstances, the registering authority shall verify the genuinity of the certified copy of the documents and accordingly, register the documents presented by the writ petitioner.

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5. In view of the facts and circumstances, the impugned Refusal Check Slip in Rfl/Marandahalli/14/2023 dated 28.03.2023 is quashed and the Sub-Registrar / 2nd respondent is directed to proceed with the registration by verifying the certified copy of the documents to be produced by the writ petitioner, if the documents presented are in accordance with the provisions of the Act.

6. Accordingly, the writ petition stands allowed. No costs.

11.07.2023
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skr
Index : Yes
Speaking order
Neutral Citation : Yes



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To

- 1.The District Registrar,
District Registrar Office,
Dharmapuri,
Dharmapuri District.

- 2.The Sub-Registrar,
Sub-Registrar Office Marandahalli,
Marandahalli,
Dharmapuri District.



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S.M.SUBRAMANIAM, J.

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