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W.P.No.18900 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.18900 of 2020

T.C.Appachi

... Petitioner

Vs.

1. The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai 600049.

2. The Joint Sub-Registrar,
Joint Sub-Registrar's Office,
Market Street,
Gobichettipalayam Town and Taluk,
Erode District.

3. T.C.Ramasamy

... Respondents

(R3 impleaded vide order dated 20.09.2021 made in
WMP.19770/2021 in WP.18900/2020 by BVSJ)

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the Respondents to register the sale deed to be entered between the petitioner and one Mr.R.Periyasamy in pursuance of the sale agreement dated 25/10/2019, without insisting the original parent document.



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W.P.No.18900 of 2020

For Petitioner : Mr.M.Roshan
For Respondents :
(for R.1 & 2) : Mr.C.Jaya Prakash, Govt. Advocate
(for R.3) : No Appearance

ORDER

The relief sought for in the present writ petition is to direct the respondents to register the sale deed to be entered into between the petitioner and one Mr.R.Periyasamy in pursuance of the sale agreement dated 25/10/2019.

2.The petitioner states that he is the owner of the property more fully described in the present writ petition and decided to sell the property. Accordingly, a sale deed was presented. The Registering Authority refused to register on the ground that the petitioner has failed to produced the original title document. The learned counsel for the petitioner states that the original documents are not available with the petitioner and those documents are in possession of his brother and therefore, he has produced the certified copy of the document.



W.P.No.18900 of 2020

WEB COPY

3.The certified copy of the title documents, if produced, can be verified by the Registering Authority for the purpose of registration of the document. There is no impediment for the Registering Authority to verify the certified copy and its genuinity and proceed accordingly.

4.This being the factum, the second respondent is directed to receive the certified copy of the title document to be produced by the petitioner and accordingly, proceed with the registration by following the procedures as contemplated under the Registration Act, if the document presented is otherwise in accordance with the Act and Rules.

5.Accordingly, the writ petition stands **allowed**. However, there shall be no order as to costs.

(sha)
Index : Yes
Speaking Order
Neutral Citation : Yes

06.07.2023



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S.M.SUBRAMANIAM. J.,

(sha)

To

1. The Inspector General of Registration,
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2. The Joint Sub-Registrar,
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