



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21409 of 2023

Kadhirvel

... Petitioner

Vs.

1.The District Registrar,
Registration Department,
Salem District.

2.The Sub Registrar,
Suramangalam,
Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of Certiorarified Mandamus, calling for the records relating to the order dated 12.07.2023 in Refusal Check Slip vide RFL/Suramangalam/176A/2023 passed by the 2nd respondent and set aside the same as illegal and subsequently direct the 2nd respondent to register the Sale Deed dated 12.07.2023 executed by the petitioner.



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W.P.No.21409 of



For Petitioner : Mr.A.G.Narasimhan

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

ORDER

The impugned Refusal Check Slip issued by the 2nd respondent in proceedings No.RFL/Suramangalam/176A/2023 dated 12.07.2023 is challenged in the present writ petition.

2.The petitioner states that he is the absolute owner of the property as described in the writ petition. The petitioner presented a Sale Deed for registration. The Registering Authority returned the document along with the Refusal Check Slip on the ground that the petitioner has not produced the Encumbrance Certificate and the original title document for verification. Under Rule 55-A of the Registration Act, the Registering Authority shall verify the certified copy of the titled document if any produced by the writ petitioner along with the Encumbrance Certificate and thereafter form an opinion and proceed with the registration by following the procedures as contemplated under Registration Act.



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3.The learned Counsel for the petitioner states that the writ petitioner is ready and willing to furnish the certified copy of the title document along with the Encumbrance Certificate. In the event of any such production, the 2nd respondent is directed to proceed with the registration within the period of four (4) weeks from the date of receipt of a copy of this order.

4.Accordingly, the impugned Refusal Check slip issued by the 2nd respondent in proceedings No.RFL/Suramangalam/176A/2023 dated 12.07.2023 is quashed and the Writ Petition stands ***allowed***. No costs.

31.08.2023

veda/sha

Index:Yes

Speaking order

Neutral Citation:Yes



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S.M.SUBRAMANIAM, J.

veda/sha

To

- 1.The District Registrar,
Registration Department,
Salem District.
- 2.The Sub Registrar,
Suramangalam,
Salem District.

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