



WEB COPY

W.P.No.24407 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24407 of 2023

Palaniammal

... Petitioner

Vs.

The Sub Registrar,
Moolanur Sub Registrar Office,
Tiruppur District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Refusal Check Slip in Refusal Number RFL/Moolanur/12/2023 dated 19.06.2023 and to quash the same as illegal, incompetent and ultravires and consequently direct the respondent to register the sale deed dated 19.06.2023 executed by the petitioner.

For Petitioner

: Mr.M.Guruprasad

For Respondent

: Mr.P.Sanjay Gandhi
Government Advocate



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ORDER

The impugned refusal check slip issued by the respondent in proceedings dated 19.06.2023 is sought to be quashed in the present writ petition.

2. The petitioner states that she is entitled to 1/4th share in the subject property being the class I legal heir of her deceased son Mr.Natrayan, who died on 31.08.2021. The son of the petitioner purchased the subject property by virtue of sale deed dated 05.06.2003 vide Document No.552 of 2003. The petitioner presented sale deed for registration. The document was returned by the respondent along with the impugned check slip on the ground that the petitioner failed to produce the original title document.

3. The learned counsel for the petitioner states that the original title document is with the daughter-in-law of the petitioner and therefore, she has secured certified copy of the title document and produced the same for verification. There is no impediment for receiving the certified copy of the title document for verification under Rule 55-A of the Registration Act. The Registering Authority shall verify the genuinity of the certified copy of the



title document and accordingly proceed with the registration.

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4. In view of the facts and circumstances, the impugned refusal check slip issued by the respondent in proceedings No.RFL/Moolanur/12/2023 dated 19.06.2023 is quashed and the respondent is directed to proceed with the registration of the document presented by the petitioner by following the procedures as contemplated and complete the said exercise within the period of four (4) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition stands allowed. No costs.

11.09.2023

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

The Sub Registrar,
Moolanur Sub Registrar Office,
Tiruppur District.



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S.M.SUBRAMANIAM, J.

Jeni

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