



WEB COPY

W.P.No.26053 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.26053 of 2023

1. Sarasu
2. A. Karthik Raja
3. A. Naveen Kumar

... Petitioners

Vs.

The Sub-Registrar
Registration Department,
Anthiyur,
Erode District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the Impugned “Refusal Check Slip” No.RFL/Anthiyur/52/2022 dated 26.12.2022 issued by the Respondent herein, quash the same and consequently direct the respondent herein to register the Partition deed dated 26.12.2022 executed by the Petitioners herein within a stipulated period.

For Petitioners : Mr. K. Govi Ganesan

For Respondent : Mr. P. Sanjay Gandhi
Government Advocate



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ORDER

The impugned refusal check slip issued by the respondent in proceeding dated 26.12.2022 is sought to be quashed in the present Writ petition.

2. The petitioner presented a partition deed for registration. The document was returned on the ground that the petitioner has failed to produce the original title document for verification.

3. The learned counsel for the petitioner states that original title document is not available with the petitioner, since it is a partition deed for registration. The petitioner is ready to furnish the certified copy of the title document for verification to the satisfaction of the registering authority.

4. There is no impediment for the Sub Registrar to verify the certified copy of the title document for the purpose of completing the process of registration under Rule 55A of the Registration Rules.

5. Thus, the petitioner is at liberty to submit a certified copy of the title



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document for verification. The respondent shall verify the genuinity of the document and accordingly, proceed with the registration by following the procedures as contemplated.

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6. In view of the facts and circumstances, the impugned refusal check slip issued by the respondent in proceeding No.RFL/Anthiyur/52/2022 dated 26.12.2022 is quashed and the respondent is directed to proceed with the process of registration by verifying the certified copy of the title document and complete the process of registration within a period of four (4) weeks from the date of receipt of a copy of this Order.

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

05.09.2023

nl/shl

Index : Yes

Speaking order



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To

The Sub-Registrar
Registration Department,
Anthiyur,
Erode District



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S.M.SUBRAMANIAM, J.

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