



WEB COPY

W.P. No.26644 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.26644 of 2023

V.Srinivasan

... Petitioner

Vs.

The Sub Registrar
Gangavalli Sub Registrar Office
Kadambur Road
Gangavalli
Salem - 636 105

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus to call for the records pertaining to the Refusal Number RFL/Gangavalli/19/2022 dated 01.12.2022, passed by the respondent and quash the same and further direct the respondent to register the sale deed dated 25.08.2022 executed by the petitioner to and in favour of Mr.V.Elango submitted on 01.12.2022.

For Petitioner : Mr.J.Rajmohan

For Respondent : Mr.Yogesh Kannadasan
Special Government Pleader



ORDER

This Writ Petition is filed seeking for issuance of a writ of Certiorarified Mandamus to call for the records pertaining to the Refusal Number RFL/Gangavalli/19/2022, dated 01.12.2022, issued by the respondent and quash the same and further direct the respondent to register the sale deed dated 25.08.2022 executed by the petitioner to and in favour of Mr.V.Elango submitted on 01.12.2022.

2. The contention of the petitioner is that he had presented the sale deed on 01.12.2022 before the respondent for registration along with necessary documents and fees, whereas, the respondent returned the same stating that the petitioner has to produce the original prior document for verification. Challenging the said impugned check slip, the present writ petition is filed before this Court.

3. Rule 55(A)(i) of the Tamil Nadu Registration Rules says that the original prior document has to be produced. In case the same is not able to be produced, the proviso 2 to 4 have to be complied with. Therefore, this Court does not find any perversity in the impugned check slip passed by the Registrar and in the absence of producing the original parent document, the relief sought for by the petitioner cannot be granted. Therefore, this writ petition is liable to be dismissed.



4. Accordingly, the writ petition is dismissed. There shall be no order as to the costs. The petitioner is at liberty to present the sale deed for registration along with the original parent document. In case the petitioner produces the same, the respondent is directed to consider the same and register the sale deed if the documents are otherwise in order.

08.12.2023

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

To
The Sub Registrar
Gangavalli Sub Registrar Office
Kadambur Road
Gangavalli
Salem - 636 105



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P.VELMURUGAN. J.

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