



WEB COPY

WP No.8749 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01-09-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.8749 of 2017

Kullapillai

... Petitioner

Vs.

The Joint Sub Registrar-2,
The Joint Sub Registrar-2's Office,
Tindivanam,
Villupuram 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 and order of the respondent in Check Slip dated 15.03.2017 and quashing the same as illegal and directing the respondent to register the Settlement Deed dated 15.03.2017 executed by the petitioner without insisting to clear the alleged encumbrance, if it is otherwise in order.

For Petitioner : Mr.J.Antony Jesus

For Respondent : Mr.G.Krishna Raja,
Additional Government Pleader.



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ORDER

The Refusal Check Slip issued by the respondent in proceedings dated 15.03.2017, is sought to be quashed in the present writ petition.

2. The petitioner states that he is the owner of the property more-fully described in the present writ petition. The petitioner presented the Settlement Deed for registration. The document was returned by the respondent along with the impugned Check Slip on the ground that there was discrepancy in the Encumbrance Certificate and the patta produced by the writ petitioner. On account of the discrepancy, the respondent has asked the petitioner to correct the Encumbrance Certificate and produce the Settlement Deed for registration.

3. The learned counsel for the petitioner states that the petitioner is possessing the document and has established his title. If that is the fact, the petitioner is at liberty to submit the relevant documents to satisfy the requirements of Rule 55-A of the Registration Act, 1908 and on



such production and satisfying with those documents, the respondent shall proceed with the registration by following the procedures as contemplated under the Registration Act, 1908.

4. The petitioner states that he will produce the document, within a period of two weeks from the date of receipt of a copy of this order and on such production of document, the respondent shall scrutinise the same and take decision and pass appropriate orders, within a period of four weeks thereafter.

5. With the above observations, the present writ petition stands disposed of.

01-09-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



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S.M.SUBRAMANIAM, J.

Svn

To

The Joint Sub Registrar-2,
The Joint Sub Registrar-2's Office,
Tindivanam,
Villupuram District.

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