



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 08-12-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.A.No.3389 of 2023

Muthayi

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Appellant

-VS-

1.The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai.

2.The Sub-Registrar,
Office of the Sub-Registrar,
Paramathi,
Namakkal.

...

Respondents

Appeal under Clause 15 of the Letters Patent against the order, dated
01.11.2023, passed in W.P.No.31252 of 2023.

For Appellant : Mr.J.Jayan

For Respondents : Mr.A.Selvendran,
Spl.Govt.Pleader.



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JUDGMENT
(By *S.Vaidyanathan,J.*)

This appeal has been filed challenging the order of the learned single Judge, dated, 01.11.2023, passed in W.P.No.31252 of 2023.

2. According to the appellant, her request is under Rule 57 and not 55A of the Registration Rules, in short, "the Rules". She would further submit that the documents are with the Sub-Registrar's office and it is easy for the Sub-Registrar to verify those documents and take a decision with regard to the plea made by her.

3. The learned single Judge has rejected the Writ Petition on the ground that in terms of Rule 55A (i) of the Rules, presentation of original documents is required when immovable property is sought to be registered.

4. We are of the view that the appellant has got a right of appeal before the District Registrar, who can conduct a detained inquiry and take a decision. It is no doubt true that documents are with the Sub-Registrar's office. Therefore, we expect the District Registrar, in case an appeal is filed within 30 days, to take a decision, more-so, taking into account the decision of this Court in W.P.(MD).Nos.28677 and 28669 of 2022, dated 10.03.2023, and complete the exercise within a period of two months from the date of preference of appeal.



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5. Writ Appeal is disposed of accordingly. No costs.

Index : Yes/No
Internet : Yes/No
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(S.V.N.,J.) (K.R.S.,J.)
08-12-2023

To

1.The Inspector General of Registration,
Santhome High Road,
Mylapore,
Chennai.

2.The Sub-Registrar,
Office of the Sub-Registrar,
Paramathi,
Namakkal.



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