



W.P(MD)No.14157 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14157 of 2023

and

W.M.P(MD)No.12002 of 2023

V.Ramachandran

... Petitioner

Vs.

The Sub Registrar,
Registration Department,
Manapparai,
Trichy District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned check slip in RFL/Manapparai/66/2023 dated 27.04.2023 issued by the respondent, quash the same and consequently direct the respondent to receive the certificate copy of the previous sale deed and register and return the document presented by the petitioner as per the Registration Act 1908, within time frame.



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For Petitioner : Mr.B.Prasanna Vinoth
For Respondent : Mr.M.Prakash
Additional Government Pleader

ORDER

Heard both sides.

2. The petitioner presented the petition mentioned document for registration before the respondent. Since the parent deed in original was not produced, registration was refused. Challenging the same, the present writ petition came to be filed.

3. Rule 55-A(1) was introduced in the statute book on 05.09.2022. The Madras High Court had struck down the first proviso alone. The other parts of the Rule still remain intact.

4. It is seen that the petitioner has already lodged complaint before the Inspector of Police, Puthanatham Police Station on 22.06.2023. The Inspector of Police, Puthanatham Police Station is directed to hold an



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enquiry and issue Non Traceable Certificate within four weeks if enquiry discloses that the document cannot be traced. The petitioner is at liberty to re-present the document along with the said Non Traceable Certificate. The other requirements set out in the Rule shall also be complied with. Subject to the petitioner's fulfilment of the said requirements, the document in question on being re-submitted shall be registered and released.

5. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

17.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 22.11.2023.



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G.R.SWAMINATHAN, J.

MGA

To

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