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W.P.(MD)NO.24484 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.24484 of 2023

Ramar

... Petitioner

Vs.

1. The Sub Registrar,
O/o.the Sub Registrar Office,
North Veeravanallur,
Tirunelveli District.

2. The Inspector of Police,
Veeravanallur police station,
Tirunelveli District.

(R-2 is *suo motu* impleaded
vide order dated 06.11.2023)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned refusal check slip in RFL/வடக்கு வீரவநல்லூர்/75/2023 dated 07.09.2023 and quash the same and consequently direct the respondent to register the document without insisting for the production of the original parent document within the time that may be stipulated by this Court.

For Petitioner : Mr.S.Sathyachidambaram

For R-1 : Mr.C.Satheesh,
Government Advocate.

For R-2 : Mr.A.Albert James,
Government Advocate.

* * *

**ORDER**

WEB COPY

Heard both sides.

2. The writ petitioner wants to purchase the petition-mentioned property from one Rahmath Begum. The document was presented for registration before the first respondent. The document was returned as parent document was not produced. Therefore, the first respondent issued refusal check slip calling upon the petitioner to comply with the procedure set out in Rule 55A of the Registration Rules. Challenging the same, the present writ petition came to be filed.

3. The stand of the registering authority is in consonance with the statutory rule. The learned Standing counsel drew my attention to the stand taken by the jurisdictional police. When the petitioner approached the jurisdictional police for non-traceable certificate, the second respondent informed the petitioner to approach the registration department.

4. I can understand the plight of the petitioner. When he approached the registration department, he was relegated



to move the jurisdictional police. When he approached the jurisdictional police, he was relegated to move the registration department. In my view, the petitioner must have challenged the stand of the police and not the registering authority.

5. The petitioner is directed to comply with the procedures set out in Rule 55A. As and when the petitioner approaches the second respondent, the second respondent will either trace the original document and if they are not able to do so, issue non-traceable certificate. The second respondent cannot keep the petition pending. The petitioner is directed to submit a fresh complaint before the second respondent by enclosing this order copy. The second respondent will take a call within a period of four weeks thereafter. Subject to fulfillment of the requirement set out in Rule 55A, the sale deed executed in favour of the petitioner shall be registered. This writ petition stands disposed of accordingly. No costs.

06.11.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU



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W.P.(MD)NO.24484 OF 2023

G.R.SWAMINATHAN,J.

PMU

To:

The Sub Registrar,
O/o.the Sub Registrar Office,
North Veeravanallur,
Tirunelveli District.

W.P.(MD)No.24484 of 2023

06.11.2023