



WEB COPY



W.P.No.14272 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2024

CORAM

THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR

W.P.No.14272 of 2024

Ramesh

.. Petitioner

Vs

The Sub Registrar
O/o.The Sub Registrar
Ayyothipalayam
Salem District

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records relating to the impugned order/refusal check slip dated 23.04.2024 made in RFL/Ayyothipalayam/30/2024 issued by the respondent and quash the same and consequently, direct the respondent to register the sale deed document presented by the petitioner without insisting the production of original parent document within the time fixed by this Court.

For Petitioner : Mr.R.Nalliyappan

For Respondent : Mr.P.Anandha Kumar
Government Advocate



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ORDER

With the consent of both sides, the Writ Petition has been taken up for disposal at the admission stage itself.

2. Challenging the impugned Refusal Check Slip dated 23.04.2024 issued by the respondent, this writ petition has been filed.

3. Heard learned counsel for the petitioner and the learned Government Advocate appearing for the respondent and perused the materials available on record.

4. The case of the petitioner is that when the Sale Deed executed in his favour has been presented for registration, the same has been refused, on the ground that the original parent document has not been produced at the time of registration. Hence, the present Writ Petition.

5. Since the issue as to whether a document can be refused to be registered on the ground of non-availability of parent document, has already been decided by this Court in ***Federal Bank Vs. Sub Registrar and Others [(2023)2 CTC 289]*** and also in ***Subramani Vs.***



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decided on 26.04.2024), there is no requirement to get counter affidavit from the respondent.

6. In view of the above decisions, the impugned order passed by the respondent is set aside and the respondent is directed to register the Sale Deed of the petitioner, within a week's time from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. No costs.

07.06.2024
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Index : Yes/No

Neutral Citation : Yes/No

To

The Sub Registrar
O/o.The Sub Registrar
Ayyothipalayam
Salem District



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N.SATHISH KUMAR, J.

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