



WEB COPY



WP.No.16919 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2024

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.16919 of 2024

R.Thirupathi @ Elavarasan

.. Petitioner

Versus

1.The Inspector General of Registration
Registration Department
Santhome High Road, Chennai – 600 028

2.The District Registrar (Administration)
Registration Department
Krishnagiri, Krishnagiri District

3.The No.2, Joint Sub Registrar
Krishnagiri Sub Registrar Office
Krishnagiri
Krishnagiri Taluk and District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling the records of the 3rd respondent pertaining to the Refusal Check Slip order of Refusal dated 05.06.2024 made in No. RFL/2 of the 3rd Respondent and to quash the same and to direct the 3rd respondent herein to register the Sale Deed dated 05.06.2024 executed by the petitioner in favour of Mrs.Jayakodi.

For Petitioner : Mr.T.Dhanasekaran

For Respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER



WP.No.16919 of 2024

This writ petition is filed to quash the Refusal Check Slip in Refusal Number: RFL/2 dated dated 05.06.2024 and consequently direct the third respondent to register the same without insisting for production of original document.

2. It is the grievance of the writ petitioner that when the sale deed was presented for registration, the second respondent refused to register the same on the ground that as per the circular of the Inspector General of Registration, the originals were not produced.

3. Heard learned counsel for the petitioner and the learned Additional Government Advocate appearing for the respondent and perused the materials available on record. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. I have perused entire records. This Court in **Federal Bank Vs. Sub Registrar and two others** in **W.P.No.2758 of 2023 dated 08.02.2023**, has held as follows :

“22. Similarly, the second proviso requires the executant to produce a revenue record to show his “right over the subject property” where the property is ancestral in character and there is no original deed available. Even a tax receipt can be produced under this proviso which is opposed to



WP.No.16919 of 2024

WEB COPY 7. With the above directions, this Writ Petition stands allowed. No costs.

18.06.2024

dhk
Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To

1. The Inspector General of Registration
Registration Department
Santhome High Road, Chennai – 600 028

<https://www.mhc.tn.gov.in/judis>



WP.No.16919 of 2024

2.The District Registrar (Administration)
Registration Department
Krishnagiri, Krishnagiri District

3.The No.2, Joint Sub Registrar
Krishnagiri Sub Registrar Office
Krishnagiri
Krishnagiri Taluk and District



WEB COPY



WP.No.16919 of 2024

N. SATHISH KUMAR, J.

dhk

W.P.No.16919 of 2024

01.07.2024