



W.P.No.21745 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.21745 of 2024
and W.M.P.No.23722 of 2024

Mandeep Rai Sharma

... Petitioner

Vs.

The Sub Registrar,
Velachery Sub Registrar Office,
No.17/39, Rajalakshmi Nagar 3rd Main Road,
Velachery, Chennai 600 042.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records and quash the Refusal Check Slip Number: RFL/Velachery/Book 2/3/2021 issued by the respondent herein dated 05.08.2021 and further direct the respondent herein to release the pending document number P/Velachery/13/2021 dated 22.01.2021 within time frame fixed by this Court.

For Petitioner : Mr.S.Lakshmanasamy

For Respondent : Mr.M.Shajahan, Spl.G.P

ORDER

This Writ Petition has been filed for the issuance of a Writ of



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Certiorarified Mandamus to call for the records and quash the Refusal

Check Slip Number: RFL/Velachery/Book 2/3/2021 issued by the respondent herein dated 05.08.2021 and further direct the respondent herein to release the pending document number P/Velachery/13/2021 dated 22.01.2021 within time frame fixed by this Court.

2. Heard both sides. With the consent of both sides, this Writ Petition is disposed of at the admission stage itself.

3. The petitioner has presented the settlement deed on the basis of the original document and the same has not been registered on the ground that the patta is not produced.

4. The refusal slip was issued in the year 2021. This Court has already given directions in this regard in the case of *Subramani vs. The Sub Registrar and another* made in W.P.No.11056 of 2024 by order dated 26.04.2024. Pursuant to the same, a circular has also been issued by the Inspector General of Registration in Circular No.22482/C1/2022 dated 12.07.2024. In the said circular, it is stated that there is already a circular issued by the Inspector General of Registration in Circular



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No.58804/L1/2004 dated 08.11.2004, instructing the registering officer not to insist upon the production of chitta, adangal, FMB Sketch from the executant of the document and it is also observed that if the registering officer is found to have passed an order of refusal on the ground that the above said documents were not produced by the executant of the document, then severe disciplinary actions will be taken.

5. In such view of the matter, already the original document has been produced and therefore, the refusal slip issued by the respondent cannot be sustained in the eye of law. Hence, the same has to be set aside.

6. In view of the above stated reasons, this Writ Petition is allowed and the Refusal Check Slip Number: RFL/Velachery/Book 2/3/2021 issued by the respondent dated 05.08.2021 is set aside. The respondent is directed to register the settlement deed within a period of one week from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes /No
Speaking / Non-speaking

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Neutral Citation : Yes / No
gsk

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To

The Sub Registrar,
Velachery Sub Registrar Office,
No.17/39, Rajalakshmi Nagar 3rd Main Road,
Velachery, Chennai 600 042.



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N.SATHISH KUMAR, J.

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