



WEB COPY



W.P.No.24195 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.24195 of 2024
and
W.M.P.No. 26461 of 2024

Jayakumar Angara

... Petitioner

VS.

1.The Sub-Registrar – Adyar,
Adyar Sub-Registrar Office,
Adyar, Chennai.

2.The District Registrar,
Chennai South,
Chennai.

3.The Inspector General of Registration,
Office of the Inspector General of Registration,
Santhome, Chennai.

4.The Chief Manager,
State Bank of India,
T Nagar Branch, G.N.Chetty Road,
Chennai – 600 017.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to



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register and release documents presented by the petitioner on production of the non traceable certificate dated 08.07.2024 issued by the 4th respondent in compliance to Circular dated 02.02.2023 in Circular No.22482/C1/2022 passed by the 3rd respondent on 08.07.2024 without insisting upon original title deed in respect of the property bearing Plot No.54, New Door No.4, 9th Cross Street, Indira Nagar, Adyar, Chennai – 20.

For Petitioner : Mr.Nizaar Ahmed, Senior Advocate
for Mr.I.Kowser Nissar

For Respondents : Mr.P.Harish
Government Advocate for R1 to R3

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to register and release the sale deed presented by him for registration, on production of non-traceable certificate dated 08.07.2024 issued by the 4th respondent / Bank.

2. It is the case of the petitioner that he is the owner of the property situate in Plot No.54, New Door No.4, 9th Cross Street, Indira Nagar, Adyar, Chennai – 20, having purchased the same under the registered sale



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deed dated 20.12.1999. The petitioner availed housing loan from the 4th respondent / Bank and had deposited the original title document with the Bank. The loan account of the petitioner was closed on 05.03.2006. However, the 4th respondent / Bank misplaced the title document of the petitioner deposited with it and issued a certificate to that effect. The petitioner filed this writ petition on an apprehension, if the sale deed pertains to the above mentioned property is presented for registration before the 1st respondent, he will refuse the same on the ground that the petitioner failed to produce the original document. Therefore, this instant Writ Petition has been filed seeking direction as stated above.

3. Mr.P.Harish, learned Government Advocate who is taking notice for the respondents 1 to 3, on instructions, would submit that if any document is presented for registration along with non-traceable certificate issued by Bank, in terms of the circular issued by the Inspector General of Registration dated 02.02.2023 in Circular No.22482/C1/2022, the same will be considered in accordance with law. The said statement is recorded.



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4. In view of the stand taken by the 1st respondent, no further orders are necessary in this Writ Petition.

5. Accordingly, the Writ Petition is disposed of. No costs.
Consequently, connected miscellaneous petition is closed.

22.08.2024

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Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No



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S.SOUNTHAR, J.

KKN

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