



W.P.No.31863 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 31863 of 2024

Milred Dcosta Christoper

...Petitioner

Vs.

The Sub Registrar
Yercaud Sub Register Office,
Salem District.

...Respondent

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Certiorarified Mandamus calling for the records on the file of the respondent impugned refusal check slip No RFL / Yercaud / 49 / 2024 dated 04.10.2024 quash the same and consequently direct the respondent to register the sale deed dated 04.10.2024 by verifying the certified copy of the parent document bearing No.881/2007 and encumbrance certificate without insisting for original parent deed.

For Petitioner : Mr. T.N.Rangeshkanna

For Respondent : Mr. B.Vijay



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W.P.No.31863 of 2024

Additional Government Pleader.

ORDER

The petitioner who had presented the sale deed executed by her in favour of one Sivaraj, is before this Court as she is aggrieved by the refusal check slip issued by the respondent. The respondent has rejected to register the sale deed stating that the original document has not been submitted.

2. Heard the learned counsels on the either side and perused the records.

3. Section 22 – A of the Registration Act, which is inserted by the Tamil Nadu Act 48 of 1997, sets out the grounds under which the Sub Registrar could refuse the registration. The reason that is given in the impugned order does not come within the four corners of the grounds given in Section 22 - A of the Act. Therefore, the impugned



W.P.No.31863 of 2024

order is not sustainable. The respondent is duty bound to register the document.

4. Accordingly, the Writ Petition is allowed. The impugned order dated 04.10.2024 is quashed. The petitioner shall re-present the receipt dated 04.10.2024. The Respondent is directed to register the document on such representation within a period of 2 weeks, from the date of representation of the document. No costs.

06.11.2024

Index : Yes/No
Internet : Yes/No
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To

The Sub Registrar
Yercaud Sub Register Office,
Salem District.



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W.P.No.31863 of 2024

P.T. ASHA, J,

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W.P.No. 31863 of 2024



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W.P.No.31863 of 2024

06.11.2024