



W.P.No.37309 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.37309 of 2024

T.Prakash

...Petitioner

Vs

1.The District Registrar
District Registrar Office,
Namakkal.

2.The Sub-Registrar,
Rasipuram,
Namakkal – 637 408.

...Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, pleased to issue a Writ of Certiorarified Mandamus, calling for records of the 2nd respondent pertaining to his proceedings dated 4.10.2024 in N.A.Ka.No.303 of 2024 and quash the same and direct the 2nd respondent to consider the representation dated 25.9.2024 of petitioner as per law.

For Petitioner : Mr.L.Muruganantham

For Respondents : Mr.M.Shahjahan
Special Government Pleader
(For R1 and R2)



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Police official on 08.07.2021 stating that the issue was a private dispute. Therefore, the petitioner had obtained certified copies of the parent document and had submitted the sale deed for registration. However, the Sub-Registrar namely, the second respondent rejected the document stating that original documents have to be filed along with the sale deed. Therefore, the petitioner had submitted a representation on 25.09.2024 requesting the Sub-Registrar namely the second respondent to register the document with the certified copies of the documents. However, this request had been turned down stating that the petitioner has to approach a Civil Court or Police for getting appropriate orders. Thus, aggrieved to this, petitioner is before this Court.

3.Heard the learned counsels on either side and perused the records. The learned Special Government Pleader takes notice on behalf of respondents.

4.This Court in the case of *Ramayee Vs The Sub Registrar and*



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others - (2020 (6) CTC 697), held that the registering authority cannot

insist upon the original documents being presented at the time of registration of the documents. The learned judges have given the extent of registering authorities power to hold an enquiry at the time of registration of the document and also the reasons for refusing to register the said document. Therefore, the continued insistence of these documents by the registering authority is absolutely baseless. Therefore, the Writ Petition is allowed and the proceedings of the second respondent in N.A.Ka.No.303 of 2024 dated 4.10.2024 is quashed. The second respondent is directed to register the document within a period of two weeks from the date of its representation. No costs.

12.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
ep

To
1.The District Registrar
District Registrar Office,
Namakkal.
2.The Sub-Registrar,



WEB COPY

Rasipuram,
Namakkal – 637 408.



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P.T.ASHA, J,

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