



WEB COPY



W.P.No.37593 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.37593 of 2024

Arusamy

... Petitioner

Vs.

The Sub Registrar
Office Of Sub Registrar,
Dharapuram,
Tiruppur District.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of order of refusal check slip in Refusal Number RFL / Dharapuram / 60 / 2024 dated 12.11.2024 passed by the respondent herein and quash the same and consequently direct the respondent to register the document of sale deed dated 24.10.2024 to be represented by the petitioner herein.

For Petitioner : M/s.N.Ponraj

For Respondents : M/s.P.Sathish, AGP.
for sole respondent



WEB COPY



W.P.No.37593 of 2024

ORDER

Challenging the refusal check slip dated 12.11.2024 issued by the respondent against the registration of a sale deed dated 24.10.2024 presented by him, the petitioner is before this Court.

2. The respondent had refused to register the said document on the ground that the original of parent document was not produced along with the sale deed to be registered.

3. Heard the learned counsel appearing on behalf of the petitioner and the learned Government Advocate accepting notice for the respondent.

4. 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 any of the grounds given in Section 22-A of the Registration Act. Therefore, the impugned order is not sustainable. The respondent is duty bound to register the document. Further, this Court has held time and again that a registration cannot be denied on the ground that the original documents have not been filed.



W.P.No.37593 of 2024

WEB COPY

5. Accordingly, the Writ Petition is allowed. The impugned order dated 12.11.2024 is quashed. The respondent is directed to register the sale deed dated 24.10.2024, within a period of 2 weeks, from the date of its representation by the petitioner. No costs.

11.12.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The Sub Registrar
Office Of Sub Registrar,
Dharapuram,
Tiruppur District.

P.T. ASHA. J.,



WEB COPY



W.P.No.37593 of 2024

(shr)

W.P.No.37593 of 2024

11.12.2024