



W.P(MD)No.3085 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3085 of 2023

M.Latha Maheswari

... Petitioner

Vs.

1. Inspector General of Registrar
Office of Inspector General of Registration,
No.100, Santhome Highway,
Chennai-600028.

2. The Sub Registrar,
Trichy Joint-I,
Trichy Joint-I, Sub Registrar Office,
Trichy Court Campus,
Cantonment, Trichy-620 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to register the settlement deed and sale deed vide TP/137129882, TP/137128924, TP/137128930, TP/137128408 presented by the petitioner for registration based on the petitioners representation dated 13.01.2023 without insisting the production of original sale deed Doc.no. 4695/1997 dated 12.12.1997 the original power of Attorney dated 30.10.2009 registered under Doc.no. 1801/2009 dated 30.10.2009.



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For Petitioners : Mr.G.Peranban

For Respondents : Mr.M.Senthil Ayyanar
Government Advocate

ORDER

Heard both sides.

2. The petitioner wants to alienate the petition mentioned property. The petitioner is owning an apartment and she is also having undivided share in the land. She wants to convey the same in favour of the third party. The grievance of the petitioner is that the registering authority is insisting on production of the original document. I wanted to know from the petitioner as to what happened to the original document. It is stated that the original document was deposited with the financier by name T.Ramesh. The said financier is not parting with the document and that is why, the petitioner is unable to produce the same before the registering authority. The petitioner undertakes that in the sale deed to be presented, there will be a clear recital setting out this fact. This undertaking is recorded. The petitioner is permitted to present the document with the aforesaid recital explaining as to what happened to the parent document. There upon, the second respondent shall receive the same and register it and release it subject to fulfillment of other usual formalities. The petitioner should of-course enclose the certified copy of the parent document.



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3. With this direction, the Writ Petition is allowed. No costs.

13.03.2024

Index : Yes / No

Internet : Yes/ No

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To

1. Inspector General of Registrar
Office of Inspector General of Registration,
No.100, Santhome Highway,
Chennai-600028.

2. The Sub Registrar,
Trichy Joint-I,
Trichy Joint-I, Sub Registrar Office,
Trichy Court Campus,
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G.R.SWAMINATHAN, J.

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