



W.P(MD)No.11610 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11610 of 2024

T.K.Shanmugam

... Petitioner

Vs.

The Sub Registrar,
Velayuthampalayam Sub-Registrar Office,
Velayuthampalayam,
Pugalur Taluk,
Karur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records relating to the impugned refusal check slip issued by the respondent in RFL/Velayuthampalayam/11/2024 dated 24.04.2024 and quash the same and further directing the respondent to entertain the gift deed dated 10.04.2024 for registration and consequently to register and release the same.

For Petitioner : Mr.M.P.Senthil

For Respondent : Mr.B.Saravanan
Additional Government Pleader

ORDER

Heard both sides.



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2. The petitioner had executed the gift deed dated 10.04.2024 in favour of the local body. The same could not be registered because of the non-availability of the parent document.

3. The case of the petitioner is that the parent document was originally deposited with the respondent and that the respondent is not returning the same. The stand of the respondents is that the document was never deposited with them and that in any event, it is not available with them.

3. I am of the view that one need not hunt for the original document. Instead, remedy can be given to the petitioner by permitting the petitioner to re-present the petition mentioned gift deed executed in favour of the local body. The same shall be registered by the respondent and released. This Court itself declares that the parent document is not presently traceable. This declaration is given for the purpose of enabling the petitioner to register the gift deed dated 10.04.2024 executed by the petitioner and three others in favour of the local body.

4. The Writ Petition is disposed of accordingly. No costs.

04.06.2024

Index : Yes / No
Internet : Yes/ No
rmi



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To

The Sub Registrar,
Velayuthampalayam Sub-Registrar Office,
Velayuthampalayam,
Pugalur Taluk,
Karur District.



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G.R.SWAMINATHAN, J.

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