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W.P(MD)No.14398 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14398 of 2024

1.K.Aandi
2.K.Bose
3.K.Solaimalai
4.T.Thavamani
5.P.Jothi

... Petitioners

Vs.

The Sub Registrar,
Office of the Sub Registrar,
Thamaraipatti, Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the refusal check slip dated 19.06.2024 refusing to register a sale deed submitted by the petitioners and quash the same, consequently, directing the respondent to register the sale deed without insisting for the original document in Document No.793 of 1986.

For Petitioners : Mr.S.Malaikani

For Respondent : Mr.R.Ragavendran,
Government Advocate



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ORDER

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Heard both sides.

2.The sale deed presented by the petitioners was refused to register on the ground that the parent document has not been produced in original. Challenging the refusal check slip, this Writ Petition came to be filed.

3.I had followed an earlier order of this Court dated 11.02.2021 made in W.P(MD)No.19745 of 2020 (Sivanadiyan Vs The Sub Registrar, Pudukottai District) and held that the registering authority ought not to insist on the presentation of the parent deed in original.

4.In this view of the matter, the impugned refusal check slip is quashed. The petitioners are permitted to represent the document. It shall be registered and released subject to fulfillment of other usual formalities.

5.This Writ Petition is allowed accordingly. No costs.

01.08.2024
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NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

The Sub Registrar,
Office of the Sub Registrar,
Thamaraipatti, Madurai District.



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G.R.SWAMINATHAN, J

Yuva

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