



W.P(MD)No.16549 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16549 of 2024

Rajendran

... Petitioner

Vs.

The Sub Registrar,
Tirupparankundram,
Madurai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to call for the records of the Impugned Refusal Check Slip no. RFL/Thirupparankundram/10/2024 dated 11.07.2024 on the file of the respondent and quash the same and consequently directing the respondent to receive and register the sale deed dated 11.07.2024 executed by O.S.Shantha in favour of the petitioner.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondent : Mr.R.Ragavendran
Government Advocate

ORDER

Heard both sides.



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2. The petitioner wants to purchase the petition mentioned property. The sale deed dated 11.07.20224 was presented for registration. For production of the parent document, registration was refused. Challenging the refusal check slip, this writ petition has been filed.

3. The learned counsel for the petitioner points out that the petitioner is ready to comply with the formalities prescribed in Rule 55A. But then, the jurisdictional police are not extending their cooperation. The parent document in question is dated 18.10.1993. The petitioner's father appears to be have lost or misplaced the same. Even though the complaint was lodged before the jurisdictional police in April 2024, till date, there is no response from them. The petitioner has already given a paper publication in this regard. The publication has been made in Times of India in Madurai edition on 12.06.2024. I am satisfied that the petitioner has shown his bonafide. A learned Judge of this Court in the decision reported in **2021 2 CTC 526 (Sivanadiyan Vs. The Sub Registrar, Pudukotttai)** has held that the registering authority shall not insist on production of the original parent document.



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3. In this view of the matter, the impugned refusal check slip is quashed.

The parties are permitted to re-present the document. It shall be registered and released subject to fulfilment of other usual formalities. The Writ Petition is allowed. No costs.

22.07.2024

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

The Sub Registrar,
Tirupparankundram,
Madurai District.



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G.R.SWAMINATHAN, J.

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