



W.P.(MD)No.25621 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.10.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25621 of 2024

A.Mohamed Rasool

... Petitioner

/Vs./

The Sub Registrar,
Orathanadu Sub Registrar Office,
Orathanadu,
Tanjavur District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 17.10.2024 in Refusal Number RFL/Orathanadu/225/2024 passed by the respondent and quash the same and thereby direct the respondent to register sale deed dated 16.10.2024 executed by the petitioner in favour of Mrs.Sheeba, wife of Venkateswaran, residing at No.438, Mela Street, Thennamanadu, Thanjavur District.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondent : Mr.M.Siddharthan

Additional Government Pleader



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ORDER

This writ petition has been filed challenging the order dated 17.10.2024 passed by the respondent refusing to register the sale deed presented by the petitioner for registration on the ground that the petitioner has not produced the original parent document.

2. Heard Mr.B.Rajesh Saravanan, learned counsel appearing for the petitioner, and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondent.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. Law is now well settled through various decisions rendered by this Court that there is no necessity to produce the original parent document, as none of the provisions of the Registration Act or its Rules contemplate the Registrar to require the party appearing before him for presenting a document for registration to produce the original title deeds relating to the property so as to satisfy himself about the ownership of the executant.



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5. In view of the well settled law, this Court is of the considered view that by total non application of mind to the same, the respondent has passed the impugned order refusing to register the sale deed presented by the petitioner for registration on the ground that he has not produced the original parent document. Necessarily, the impugned order dated 17.10.2024 passed by the respondent has to be quashed and the writ petition will have to be allowed.

6. Accordingly, the impugned order dated 17.10.2024 passed by the respondent is hereby quashed and this writ petition is allowed by directing the respondent to register the sale deed presented by the petitioner for registration, if the same is otherwise in order, within a period of two weeks from the date of receipt of a copy of this order. No costs.

25.10.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

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TO:-

The Sub Registrar,
Orathanadu Sub Registrar Office,
Orathanadu,
Tanjavur District.

Order made in
W.P.(MD)No.25621 of 2024

Dated:
25.10.2024