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W.P.No.946 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.946 of 2025

S.Velayutham

... Petitioner

Vs.

The Sub Registrar
Sub Registrar Office,
Kalasapakkam,
Thiruvannamalai District.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, Call for the records pertaining to the impugned order passed by the respondent dated 30.12.2024 and Ref.No/REL/kalasapakkam - 103/2024 quash the same, consequently directing he respondent namely sub Registrar, Sub Registrar Office, Kalasapakka, Thiruvannamalai District to register the sale deed dated 30.12.2024 presented by the petitioner without insisting upon production of the original previous sale deed within a stipulated time.

For Petitioner : M/s.R.Prabhudoss

For Respondents : M/s.M.Shahjahan, Spl.GP.
for sole respondent



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ORDER

Challenging the refusal check slip dated 30.12.2024 issued by the respondent against the registration of a sale deed dated 30.12.2024 presented by him, the petitioner is before this Court.

2. The respondent had refused to register the said document on the ground that the original of the previous sale deed was not produced at the time of registration.

3. Heard the learned counsel appearing on behalf of the petitioner and the learned Special Government Pleader accepting notice for the respondent.

4. Section 22- A of the Registration Act, which is inserted by the Tamil Nadu Act 48 of 1997, sets out the grounds under which the Sub Registrar could refuse the registration. The reason that is given in the impugned order does not come within any of the grounds given in Section 22-A of the Registration Act. Therefore, the impugned order is not sustainable. The respondent is duty bound to register the document. Further, this Court has held time and again that a registration cannot be denied on the ground that the original documents have not been filed.



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5. Accordingly, the Writ Petition is allowed. The impugned order dated 30.12.2024 is quashed. The respondent is directed to register the sale deed dated 30.12.2024, within a period of 2 weeks, from the date of its representation by the petitioner. No costs.

20.01.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The Sub Registrar
Sub Registrar Office,
Kalasapakkam,
Thiruvannamalai District.



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P.T. ASHA. J.,

(shr)

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