



W.P.No.3376 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.3376 of 2025
and WMP No.3741 of 2025

V.J.Sundaram

.... Petitioner

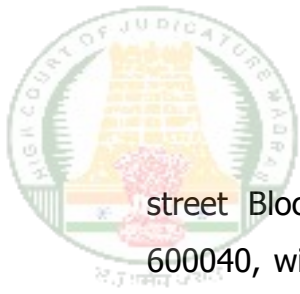
-Vs-

1.The Inspector General of Registration
100, Santhome High Road
Chennai 600028.

2.The Sub Registrar
Anna Nagar, Nolumbur
Integrated Sub Registrar Office
Chennai-37.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the Refusal Check Slip No.RFL/ Anna Nagar/6/2025 dated 20.01.2025 issued by the 2nd respondent and quash the same and consequently direct the 2nd respondent to register the Settlement deed dated 28.10.2024 executed by the petitioner in favour of daughter Dr.Sumana Navin in respect of the property being land and flat bearing Flat No.1 Ground Floor 'PRITHVI' measuring an extent of 1427 square feet along with undivided share of land measuring an extent of 1014 square feet along with one covered car park situate in the sanctioned plan bearing plot no.3745 'Q' Block Door No.35 (door number as per property tax assessment new No.3/2 old no.35/2) 17th



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street Block No.3 Mullam Village comprised in T.S.No.46, Anna Nagar, Chennai 600040, without insisting on the Original Sale Deed bearing Document No.4773/1003 dated 5.11.1993 or any other document, registered in the office of the 2nd respondent and accepting the certified copy of the said sale deed, within a time frame.

For Petitioner : Mr.M.Kemprij
For Respondents : Mr.P.Harish
Government Advocate

ORDER

This writ petition has been filed challenging the impugned refusal check slip issued by the 2nd respondent and for a consequential direction to the 2nd respondent to register the settlement deed dated 28.10.2024 executed by the petitioner in favour of his daughter with respect to the subject property.

2.Heard Mr.M.Kemprij, learned counsel for the petitioner and Mr.P.Harish, learned Government Advocate for respondents.

3.On carefully going through the impugned refusal check slip dated 20.01.2025, it is seen that the settlement deed has been refused to be registered mainly on the ground that the original title documents were not furnished at the time of the registration.



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4. This Court has repeatedly held that production of original title document is not mandatory for registration of document. It has been held that it cannot be a ground to deny registration. Useful reference can be made to the latest judgement of the Division Bench of this Court in ***M.Ariyanatch and another Vs. The Inspector General of Registration and another*** reported in **2024 3 MLJ 55**.

5. On carefully reading the third proviso to Rule 55A of the Tamil Nadu Registration Rules, 1949, it is seen that wherever the original document is lost, the requirements under that proviso must be satisfied in order to entertain the document and register the same. Hence, it will suffice if the petitioner is directed to satisfy that requirement and present the document for registration.

6. In the light of the above discussion, the petitioner is directed to represent the document before the respondents along with an affidavit mentioning the fact that the original title document has been lost and the same is not able to be traced. The petitioner shall also enclose the newspaper advertisement issued regarding the loss of document and the intention of the seller of the property to convey the property. On fulfilling these conditions, the respondents shall entertain the document and register the same, if it is otherwise in order.



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N.ANAND VENKATESH, J.

KP

7. In the result, this Writ Petition stands allowed with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

03.02.2025

Index : Yes/No

NCS : Yes/No

KP

To

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