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W.P.No.3449 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3449 of 2025

V.Jothimani

... Petitioner

Vs.

The Sub Registrar
Palladam SRO,
Palladam Taluk,
Tiruppur District

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records relating to the impugned refusal check slip dated 23.01.2025 made in RFL/Palladam/ 05/2025 passed by the respondent quash the same and consequently, to direct the respondent to register the Sale deed dated 23.01.2025 executed in the petitioner's name in respect of the agricultural lands measuring 1.46 acres comprised in S.F.No.426/1, Vadugapalayam Village.

For Petitioner
For Respondents

: Mr.R.T.Vishnu
: Mr.M.Shahjahan
Special Government Pleader



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ORDER

This writ petition has been filed challenging the refusal check slip issued by the respondent dated 23.01.2025 and for a consequential direction to the respondent to register the Sale deed dated 23.01.2025 executed in favour of the petitioner with respect to the subject property.

2. Heard Mr.R.T.Vishnu, learned counsel for the petitioner and Mr.M.Shahjahan, learned Special Government Pleader, for respondent.

3. The grievance of the petitioner is that the property belongs to Deivathal and others and they wanted to convey the property in favour of the petitioner. Accordingly, a Sale deed was executed on 23.01.2025 and the petitioner also paid the entire sale consideration. When the same was presented for registration, the respondent refused to register the document on the ground that the original title document has not been produced.

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



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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 re-present the document before the respondent along with a clause in the document mentioning the fact that the original title document has been lost and the same is not able to be traced. On fulfilling this condition, the respondent shall entertain the document and register the same, if it is otherwise in order.

7. This writ petition is allowed with the above directions. No costs.

07.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order



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N. ANAND VENKATESH.J,

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To
The Sub Registrar
Palladam SRO,
Palladam Taluk,
Tiruppur District

W.P.No.3449 of 2025

Dated: 07.02.2025