



Writ Petition No.10960 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 03.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.10960 of 2025

E.NILAKANDAN
S/o.Elumalai,
No.1/364 Kannagi Street,
Ambedkar Nagar,
Redhillls, Thiruvallur

Petitioner

Vs

1. The Inspector General of Registration
Registration Department,
Santhome High Road, Chennai 28

2.The Sub Registrar
Office of The Sub Registrar,
Manalurpet, Villupuram District.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the 2nd respondent to register the sale deed without the mother document and considering the certified copy which was registered on 01.02.2020 vide Doc No.181/2010 and the patta No.505 based on the certified copy of the parent document and other supporting document.

For Petitioner : Ms.S.Parkavi

For Respondents : Mr.P.Harish

Government Advocate



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the second respondent to register the sale deed without insisting for the original title document.

2. Heard Ms.S.Parkavi, learned counsel for petitioner and Mr.P.Harish, learned Government Advocate appearing for respondents.

3. The case of the petitioner is that he is the absolute owner of the subject property through a registered sale deed registered as document No.181 of 2010. The petitioner lost the original title document and hence, he gave a complaint to the police. According to the learned counsel for petitioner, complaint was given to the police. Apart from that, paper publication was also given. The petitioner wanted to deal with the property and he executed a sale deed in favour of the prospective purchaser on 03.02.2025 and when the same was submitted before the second respondent, the second respondent refused to entertain the document on the ground that the original title deed was not presented at the time of registration.



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4. In the considered view of this Court, insistence of a original

document cannot be a condition precedent for registering a document.

The petitioner had already given a complaint and has also given a paper publication regarding the lost original title document. Hence, it will suffice if the petitioner includes a recital in the sale deed itself to the effect that the original document has been lost and the steps taken by the petitioner thereafter. On the same being satisfied, the second respondent shall entertain the sale deed and register the same, if it is otherwise in order.

This writ petition is disposed of in the above terms. No costs.

03.04.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

1. The Inspector General of Registration
Registration Department,
Santhome High Road, Chennai 28

2. The Sub Registrar
Office of The Sub Registrar,
Manalurpet, Villupuram District.



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N.ANAND VENKATESH, J

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