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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.6657 of 2025

Mr.S.Sivaprasath
S/o.Mr.Sivachandran .. Petitioner

Vs.

The State represented by
The Sub-Registrar
No.2, Joint Sub-Registrar's Office
St. Thomas Mount, Chennai .. Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondent to dispose of the petitioner's representation dated 11.02.2025 to register the release deed without the original document, in original deed of the Property No.929/1969 within a time frame as may be fixed by this Court.

For Petitioner : Mr.P.Arumugam

For Respondent : Mr.U.Baranidharan
Special Government Pleader

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ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondent to register the release deed executed in favour of the petitioner by the siblings.

2. Heard Mr.P.Arumugam, learned counsel for the writ petitioner and Mr.U.Baranidharan, learned Special Government Pleader for the respondent.

3. The case of the petitioner is that subject property was acquired by the petitioner, his brother, his sister's paternal uncle and his brothers through a registered sale deed dated 17.04.1969. Thereafter, a partial release deed was executed in favour of the petitioner and the same was also registered and patta was also issued in the name of the petitioner. The petitioner states that he has 3/4th share in the subject property and the other co-owners wanted to release their share in favour of the petitioner and accordingly executed a release deed. The same was refused to be entertained by the respondent on the ground that the original title document was not produced. Aggrieved by the same, the present writ petition has been filed before this Court.

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4. The learned Special Government Pleader appearing on behalf of the respondent would submit that the petitioner has not presented the document for registration and he has approached this Court with the apprehension that the document will not be registered without the original title document.

5. In the considered view of this Court, the petitioner has taken a specific stand that original title document is lost and is not available, if that is the case, it shall be incorporated as a recital in the release deed itself. In such an event, the respondent shall register the release deed, if it is otherwise in order.

6. This writ petition is disposed of with the above direction. There shall be no order as to costs.

03.03.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gpa

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N.ANAND VENKATESH.J.,

gpa

To

The Sub-Registrar
No.2, Joint Sub-Registrar's Office
St. Thomas Mount, Chennai

W.P.No.6657 of 2025

03.03.2025