



Writ Petition No.10511 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 01.04.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.10511 of 2025

and

W.M.P.No.11833 of 2025

N.Thanapal
S/o Nataraj
Door No. 30/23, Pooja Complex,
Rajendera Prasath Street,
Sakthi Road, Ganapathy Post,
Coimbatore 641 006.

Petitioner

Vs

1. The Sub Registrar
Periyanayakan Palayam,
Coimbatore.

2.Kaali Kutti
S/o Chinna Ammasai
Door No.1/128, Anna Nagar,
Kottaipalayam, Kondaiyan Palayam,
Vaiyampalayam,
Coimbatore 641 110.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records on the file of the 1st respondent in proceedings



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No.Na.Ka.45/25 dated 22.01.2025 and quash the same as illegal, null and void and consequently, direct the 1st respondent to register the sale agreement entered between petitioner and the 2nd respondent dated 17.01.2025 presented on 22.01.2025 and return the same.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.U.Baranidharan
Special Government Pleader [R1]

ORDER

This writ petition has been filed challenging the impugned proceedings of the first respondent dated 22.01.2025 and for a consequential direction to the first respondent to register the sale agreement entered between the petitioner and the second respondent dated 17.01.2025 and to release the document.

2. Heard Mr.S.Venkatesh, learned counsel for petitioner and Mr.U.Baranidharan, learned Special Government Pleader appearing for first respondent.

3. The first respondent has refused to register the document mainly on the ground that the original title deed was not produced at the time of registration.



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4. This Court has repeatedly held that insistence of original

title document as a condition for registration of the document, is unsustainable. The specific case of the petitioner is that the original title document has been lost and a certified copy is available.

5. It is left open to the petitioner to add the necessary recital in the sale agreement to the effect that the original title document is lost and it is not traceable. Once this requirement is fulfilled, the first respondent shall entertain the document and register the same, if it is otherwise in order.

In the result, this writ petition is allowed in the above terms.

No costs. Consequently, connected miscellaneous petition is closed.

01.04.2025

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

To

The Sub Registrar,
Periyannayakan Palayam,
Coimbatore.



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N.ANAND VENKATESH, J

gm

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