



W.P.No.21554 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2025

CORAM

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

W.P.No.21554 of 2024

V.Arunachalam

.. Petitioner

Vs.

1.The Authorised Officer,
State Bank of India,
Cheyyar Branch,
No.29, Arcot Road,
Cheyyar Taluk,
Thiruvannamalai-604 407.

2.The Sub Registrar,
Joint-II Sub Registrar Office,
No.123, Gandhi Road,
Thiruvathipuram,
Cheyyar-604 407.

[Respondent 2 impleaded vide
order in WMP No.29132 of 2024, dt.03.12.2025] .. Respondents



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Writ petition has been filed under Article 226 of the Constitution of India seeking for the issuance of writ of mandamus directing the respondent bank to present and register the mortgage loan discharge receipt in favour of the petitioner within a time frame to be fixed by this Hon'ble Court and to pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner : Mr.M.Sudhan

For Respondents : Mr.K.Chandrasekar, Standing Counsel for R1
Mr.S.Rajesh, GA for R2

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ORDER

The writ petitioner has filed the present writ petition seeking for the issuance of writ of mandamus to direct the first respondent bank to



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present and register the mortgage loan discharge receipt in favour of the petitioner within a time frame to be fixed by the court.

2.The grievance of the writ petitioner is that he stood as a guarantor for the loan availed by his brother and executed a registered memorandum of deposit of title deed and the loan has now been completely repaid. However, the discharge receipt has not been registered by the second respondent Sub Registrar.

3.Mr.S.Rajesh, the learned Government Advocate took notice for the second respondent and submitted that they are ready to register the discharge receipt at any time. However, the original documents were not produced.

4.Heard the submissions of both sides. It is relevant to note that the



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Sub Registrars cannot insist for original documents in the light of the Circular dated 28.04.2025 in Lr.No.44420/C1/2024 issued by the Inspector General of Registration, Chennai. Further Rule 55A of the Registration Rules has also been struck down by Hon'ble Supreme Court in Civil Appeal No.3954 of 2025 vide order dated 07.04.2025.

5.In the light of the above, the first respondent Bank is directed to present the mortgage loan discharge receipt in favour of the petitioner immediately within a period of two weeks from the date of receipt of the copy of this order and on such presentation of the said document, the second respondent Sub Registrar shall register the documents forthwith without insisting on original documents.

6.This writ petition is disposed of with the above directions. No costs.



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Index : Yes/No

Neutral Citation : Yes/No

Speaking Order / Non speaking order

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To

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N.SATHISH KUMAR, J.

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