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W.P.No.24024 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.24024 of 2025

Usman

: Petitioner

Vs.

The Sub Registrar,
Office of the Sub-Registrar,
Cheyyur,
Chengalpattu District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus to call for the entire records relating to the order dated 23.06.2025 in Na.Ka.No.P.196/2025 on the file of the respondent herein and quash the same and consequently direct the respondent to register and release the pending Document No.P/Cheyyur/196/2025 within a time frame to be stipulated by this Court.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.U.Baranidharan
Special Government Pleader



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ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed challenging the impugned order dated 23.06.2025 in Na.Ka.No.P.196/2025 issued by respondent, whereby the sale deed dated 17.06.2025 was refused to be registered, in respect of the property comprised in survey Nos.138/3A1, 138/2B3, 138/2B1 and 138/3B1 situated at Gengadevankuppam Village, Cheyyur Taluk, Chengalpattu District, on the premise that there is no patta in the name of petitioner's vendor in respect of the subject property.

3. It is submitted by the learned counsel for the petitioner that existence of a patta, is not required for the purpose of registration. In this regard, a circular has been issued in Circular No.22482/C1/2022, dated 12.07.2024, wherein instructions have been issued that the registering officer shall not refuse to register only on the ground of non-furnishing of the original documents. The relevant portion of the Circular is extracted hereunder:



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"In the reference, first cited, Hon'ble High Court had directed the Inspector General of Registration to issue circular indicating the law declared by the Court in various verdicts. Accordingly this circular is issued on the basis of the various verdicts of Courts and also reiterating various circulars which have been already issued in this regard.

a) Vide Inspector General of Registration Circular No.58804/L1/2004 dated 8.11.2004 it has been already instructed that registering officers should not insist the registrants to produce Chitta, Adangal, Rental value certificate etc. Moreover, in the said circular it was stated that if any violation is found, severe disciplinary action would be initiated against the registering officer."

4. When this was pointed out, learned Special Government Pleader for the respondent would submit that if the sale deed dated 17.06.2025 is represented by the petitioner, the same would be registered, if it is otherwise in order, in the light of the instructions laid down in Circular No.22482/C1/2022, dated 12.07.2024. If, for any reason, the Sub Registrar is of the view that the registration ought to be refused, he would do so after assigning reasons, which was agreed to by the learned counsel for the petitioner.

5. In the light of the above discussion, the impugned order issued by the respondent dated 23.06.2025 is hereby set aside. It is open to the petitioner to re-



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present the sale deed dated 17.06.2025 and if any such sale deed is re-presented, respondent shall register the sale deed, if it is otherwise in order, keeping in view the instructions laid down in Circular No.22482/C1/2022, dated 12.07.2024. If for any reason, the respondent refuses to register the sale deed, he shall assign reasons in the refusal slip, which was agreed to by both counsel for petitioner as well as respondents.

6. In the result, this Writ Petition stands disposed of. There will be no order as to costs.

03.07.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn

To
The Sub Registrar,
Office of the Sub-Registrar,
Cheyyur,
Chengalpattu District.

MOHAMMED SHAFFIQ, J.

(mrn)



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