



Writ Petition No.5059 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 19.02.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.5059 of 2025

and

W.M.P.No.5613 of 2025

Muniammal
W/o.Dhanasekar

..Petitioner

Vs.

1.The Sub Registrar,
Mathuranthakam Sub Registrar Office,
Mathuranthakam,
Chengalpattu District.

2.The District Registrar,
Registration Department,
Chengalpattu District.

3.Saroja Ammal
W/o.Late Balu Reddiar

4.Gopinath
S/o.Late Ramamoorthi

5.Rajesh Kumar
S/o.Late Ramamoorthi

6.Krishnamoorthi
S/o.Late Ramamoorthi

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the second respondent dated 18.02.2020 in Na.Ka.No.382/Aa1/2017 and quash the same and consequently, direct the first respondent to register the sale deed executed by vendors in favour of the petitioner dated 12.08.2016 presented by the petitioner before the first respondent and kept as pending document in P.195/2016 without insisting original preregistration documents and missing and not traceable certificate.

For Petitioner : Ms.M.Sankari
for Mr.VKR Balakrishnan

For Respondents : Mr.R.Sasikumar
Government Advocate [R1 & R2]

ORDER

This writ petition has been filed challenging the proceedings of the second respondent dated 18.02.2020 and for a consequential direction to the first respondent to register the sale deed dated 12.08.2016 executed in favour of the petitioner.

2. Heard Ms.M.Sankari, learned counsel for petitioner and



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Mr.R.Sasikumar, learned Government Advocate appearing for respondents 1 and

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2.

3. The impugned proceedings of the second respondent is of the year 2020 and the petitioner has filed this writ petition in the year 2025 and there is absolutely no explanation as to why there was five years delay in approaching this Court. On that ground alone, the present writ petition is liable to be dismissed on the ground of laches.

4. The grievance expressed by the petitioner is that the sale deed was not entertained since the original title document was not produced. This Court has repeatedly held that insistence of production of original title document cannot be a condition precedent to entertain and register a document. Therefore, if at all any document is presented for registration before the first respondent, the vendor of the petitioner shall file a sworn affidavit explaining the reason for the missing original title document and shall also make necessary paper application regarding the loss of original documents and the intention of

N. ANAND VENKATESH, J



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the vendor to deal with the property. If the same is done, the sale deed can be entertained, if it is otherwise in order.

This writ petition is disposed of in the above terms. No costs.
Consequently, connected miscellaneous petition is closed.

19.02.2025

Neutral citation: Yes/No
Index : Yes/No
Speaking Order / Non Speaking Order
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To
1.The Sub Registrar,
Mathuranthakam Sub Registrar Office,
Mathuranthakam,
Chengalpattu District.

2.The District Registrar,
Registration Department,
Chengalpattu District.

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