



W.P.No.3326 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.3326 of 2025  
and W.M.P.No.3698 of 2025

V.Mohan

... Petitioner

Vs.

1.The Inspector General of Registration  
100, Santhome Highway  
Chennai 600 028

2.The District Registrar (Administrative)  
O/o. The District Registrar  
(Near Tamil Nadu Hotel)  
Tiruvannamalai 606601

3.The Sub Registrar  
Vettavalam Registrar Office  
Tiruvannamalai District 60675

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in Na.Ka.No.1412/Aal/2024 dated 17.04.2024, quash the same and consequently direct the 3rd respondent to register and release the sale agreement of the petitioner pending document No.P.13/2024 dated 13.03.2024 on the file of



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the Vettavalam, Sub Registrar Office pursuant to the Circular No.25600/C1/2018 dated 13.06.2018 of the 1st respondent.

For Petitioner : Mr.S.Kousik

For Respondents : Mr.A.Selvendran  
Special Government Pleader

### ORDER

This Writ Petition has been filed challenging the impugned proceedings of the 2nd respondent dated 17.04.2024 and for a consequential direction to the 3rd respondent to register and release the sale agreement presented for registration by the petitioner dated 13.03.2024.

2.Heard Mr.S.Kausik, the learned counsel appearing on behalf of the petitioner and Mr.A.Selvendran, the learned Special Government Pleader appearing for the respondents.

3.The case of the petitioner is that the property was originally owned by three owners and subsequently, the same was converted into house plots. On 13.03.2024, the petitioner wanted to sell his 1/3rd share in one of the plots and



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he prepared a sale agreement and presented it for registration before the 3rd respondent. The same was not registered stating that the original document was not filed. The petitioner made a representation to the 2nd respondent in this regard. The 2nd respondent on considering the same through impugned proceedings dated 17.04.2024 informed the petitioner that as per the circular issued by the I. G. of Registration dated 02.11.2018, original documents will have to be necessarily submitted in order to register the sale agreement. Aggrieved by the same, the present writ petition has been filed.

4.The issue in hand is squarely covered by the various orders passed by this Court. Useful reference can be made by the judgment in ***S.Preethi V. The Sub Divisional Executive Magistrate - cum Revenue Divisional Officer and others reported in 2022-1 Writ L.R. 256***, where it was made clear that the circular issued by the I.G. of Registration cannot have the legal sanctity and over weigh Rule 55 A of the Registration Rules and hence original title document cannot be insisted. The latest judgment on this issue is reported in ***M.Ariyanatchi and another V. Inspector General of Registration and another*** (2024) 3 MLJ 55.



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5.The reasoning given by the 2nd respondent for not registering the sale agreement is on the face of it illegal and it goes against the judgment of this Court. Hence, the impugned proceedings of the 2nd respondent dated 17.04.2024 is hereby quashed. The petitioner is directed to represent the sale agreement before the 3rd respondent for registration and the same shall be registered, if it is otherwise in order. This process shall be completed by the 3rd respondent within a period of one (1) week from the date of representation of the document by the petitioner.

6.In the result, this writ petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

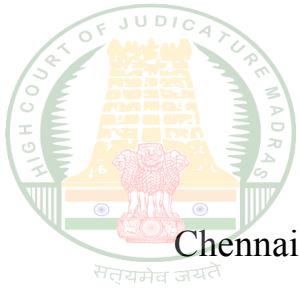
03.02.2025

Index : Yes / No  
Neutral Citation

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To.

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