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WP.No.39929 of 2024

In the High Court of Judicature at Madras

Dated : 06.1.2025

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.39929 of 2024

S.Senthilprabhu

...Petitioner

Vs

The Sub-Registrar,
Sub-Registrar Office,
Ceyyur, Chengalpattu District.

...Respondent

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records and quash the refusal slip Refusal Number : RFL/Ceyyur/183/2024 dated 09.11.2024 issued by the respondent and direct the respondent to register the sale deed presented by the petitioner in respect of the undivided property measuring an extent of 70 cents out of 5.11 acre comprised in old S.No.87, new S.No.87/1A1A bearing patta No.79, situated at Nallur Village, Madhuranthagam Taluk, Chengalpattu District.

For Petitioner : Mr.A.Murugavel
For Respondent : Mr.C.Sathish, GA



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ORDER

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Challenging the check slip dated 09.11.2024 issued by the respondent refusing to register the sale deed dated 07.11.2024 presented by the petitioner in respect of the property measuring an extent of 70 cents out of 5.11 acre comprised in old S.No.87, new S.No.87/1A1A bearing patta No.79, situated at Nallur Village, Madhuranthagam Taluk, Chengalpattu District and to issue a consequential direction to the respondent to register the same, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate accepting notice for the respondent.

3. The case of the petitioner is that the petitioner's father purchased the subject property by way of a sale deed dated 20.8.1973 registered as doc.No.1395 of 1973 on the Sub-Registrar, Ceyyur from one Mr.Ranganatha Nadar and others. The petitioner's father died on 06.9.2001. After the death of the petitioner's father, the patta was transferred in favour the surviving legal heirs, who are seven in number. Thereafter, patta No.79 was also issued in favour of all the legal heirs. When the petitioner sold his 1/7th share in the subject property to one Mr.N.S.Richard and presented the sale deed for



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registration, the respondent refused to register the same on the ground that original parent document was not produced. Hence the writ petition.

4. This Court has, time and again, issued instructions to the Registering Authorities to act within the confines of the powers conferred under the Indian Registration Act. In the considered view of this Court, the insistence of production of the original parent document does not come within the powers conferred on them.

5. Accordingly, the writ petition is allowed, the impugned refusal check slip is set aside and the respondent is directed to register the sale deed presented by the petitioner within a period of two weeks from the date of its representation. No costs.

06.1.2025

To
The Sub-Registrar, Sub-Registrar
Office, Ceyyur, Chengalpattu District.

RS



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P.T.ASHA,J

RS

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