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W.P.No.13109 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2026

CORAM :

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.13109 of 2026

Devendiran

... Petitioner

Vs.

The Sub-Registrar,
No.III-Joint Registrar Office,
West Salem, Salem District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st Respondent in relates to refusal check slip Number RFL/No.3 joint sub Registrar west Salem/22/2026 dated on 13.02.2026 and quash the same in the light of judgment in 2023 1 CWC 533 and direct the Respondent to Registrar the sale deed.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.U.Baranidharan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned refusal check slip, dated 13.02.2026 issued by the respondent refusing to register the sale deed presented by the petitioner for registration on the ground that the petitioner has produced the original parent document.



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2. Mr.U.Baranidharan, learned Special Government Pleader, accepts notice on behalf of the respondent.

3. According to the petitioner, the original parent document is missing/mis-placed. The petitioner contends that he has already given a police complaint seeking issuance of Non-Traceable Certificate, but the said certificate is yet to be issued.

4. As seen from the third proviso to Section 34-C of the Registration Act, which was recently inserted by the legislature in January 2026, the petitioner will have to produce the original parent document or in the alternative produce the Non-Traceable Certificate. In view of the same, without production of the said certificate, this Court cannot direct the registration department to register the sale deed presented by the petitioner for registration.

5. Learned counsel for the petitioner, on instructions, would now submit that the petitioner is willing to obtain the Non-Traceable Certificate from the police department in respect of the lost/mis-placed parent document.



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6. In view of the undertaking given by the petitioner, this Court directs the respondent to register the sale deed presented by the petitioner for registration on production of the Non-Traceable Certificate in respect of the parent document, which has been lost/mis-placed by the petitioner. On production of the Non-Traceable Certificate, the respondent is directed to register the sale deed presented by the petitioner, if the same is otherwise in order and on payment on requisite stamp duty and registration fees, within a period of two (2) weeks from the date of re-presentation of the sale deed and on production of Non-Traceable Certificate for the parent document.

7. With the aforesaid direction, this Writ Petition is disposed of. No costs.

08.04.2026

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To

The Sub-Registrar,
No.III-Joint Registrar Office,
West Salem, Salem District.



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ABDUL QUDDHOSE, J.

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